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CICERO's ORATIONS,

TRANSLATED INTO ENGLISH,

Jeff. 9-23

WITH

NOTES,

HISTORICAL, CRITICAL, and EXPLANATORY.

BY

JOHN RUTHERFORD.

THE SECOND EDITION.

Sine eloquentia, omnia quæ mente conceperis ſupervacua ſunt, ſimilia gladio condito, atque intra vaginam ſuam hærenti.

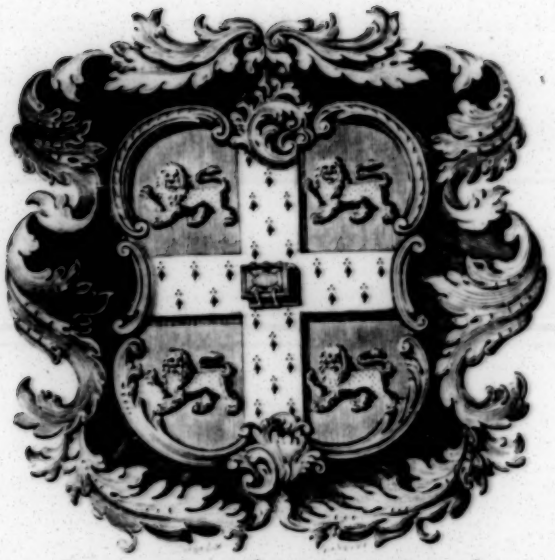
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PREFACE.

SPEECH, being the only diſtinct and determinate characteriſtic of a rational being, every attempt to advance and embelliſh ſuch a neceſſary and ornamental property of human nature, cannot fail to engage a particular degree of attention. No man perhaps, ever contributed more largely to the advancement of this diſtinguiſhing faculty, than Cicero, the original author of the orations now preſented to the public. His ſyſtem of oratory was extenſive and complete; not in practice merely, but equally ſo in theory and rule. While he diſplayed ſuch powers of elocution, as neither his own, nor any ſubſequent age has equalled, or nearly approached; he developed the ſcience, formed principles for the pupil, and became at length, the univerſal model of oratory.

BORN and educated in a country whoſe government was little removed from a perfect democracy, his elocution could not fail to fix his ſucceſs, in whatever branch of that prevailing ſcience he might think proper more

a immediately

immediately to engage. But Cicero's views, were extenſive as his genius.

In every department of oratory, he was equally eminent, equally powerful, and prevailing. The Roman juriſprudence never, in any period, appeared with that luſtre, with which it ſhone during the period of his continuance at the bar. His ſucceſs in the ſenate, cannot be better aſcertained, than by the votes and deciſions of that body, during the exerciſe of his ſenatorial, and Conſular functions. His prevailing powers, as a magiſtrate of Rome, the conſpiracy of Catiline, and numerous other inſtances of his magiſtracy, have proved to be no leſs great, than permanent.

But while he demonſtrated a faculty of ſpeaking, thus univerſal, prevailing, and brilliant; his knowledge was extenſive, his reaſoning juſt, and his principles ſolid, when defending the cauſe of truth. The ſame words which had convinced the public auditor, equally ſatisfied the ſcrutiny of the cloſet, equally bore the ordeal of a private and rigorous inveſtigation. Even now they charm. At a period ſo remote, when orator, audience, and even the Roman empire itſelf, are no more; ſtill the orations of Cicero, intereſt and delight mankind. Not only Great Britain, but every nation where literature has taken root, cheriſh the works of Cicero, as the faireſt plant of that garden. No age, no language, no manners, no cuſtoms, nor prejudices, have been able to injure or diminiſh, the luſtre of Cicero's oratorial excellence. On the contrary, all poliſhed nations, all nations not abſolutely immerſed in darkneſs and

and barbariſm, have acknowledged the ſupremacy of Cicero's genius; and adopted his examples, as the ſtandard of imitation. The greateſt orators that our own, or any other country ever boaſted, have invariably gloried in this imitation; and conceived the higheſt degree of their own excellence to conſiſt, in the neareſt reſemblance to that great, and univerſal ſtandard.

STAMPED with this ſupreme, this acknowledged mark of ſuperiority, Cicero's orations neceſſarily become the leading object, for the admirer of oratory and the arts of elocution. A ſhort acquaintance with the great original, will neceſſarily induce him to feel veneration for his works, and a deſire of familiarizing them in practice. Like the courtier, and the aſpiring ſtateſman, the ſtudent will rejoice in ſhewing the world how intimately he is connected with the great leader. Like thoſe, he will court every opportunity of diſplaying an intercourſe ſo honorable for himſelf, and ſo propitious to his views. The vanity in both is perhaps, rather laudable, than reprehenſible; but Cicero's admirer, will eaſily obtain an excuſe. The noviciate in literature however, is directed by every writer of genius, upon this ſubject, to perſue his acquaintance with Cicero, if he would acquire the reputation of a ſcholar, or the powers of an orator. He is told, and very juſtly, that he cannot arrive at excellence in the one, nor to any great degree of ſuperiority in the other, without a perfect knowledge of Cicero. But, for the conſolation and encouragement of the ſtudent, he is alſo aſſured, and by very great authority: "That when he has imbibed a taſte for "Cicero's works, and feels an ardent deſire of cultivating

" them; he has made a conſiderable progreſs in literature " and oratory."

STIMULATED by ſuch powerful incentives and under the ſanction of ſuch great authority, every adventurer in exploring the works of Cicero, embarks with ſuperior advantages. For though numbers have ventured upon the ſame principle, and notwithſtanding the want of novelty in the work itſelf; yet ſcarcely any attempt has been made upon Cicero, from which the adventurer did not derive ſome degree of credit and reputation.

THE orations of Cicero, nevertheleſs, have not hitherto been diſplayed with thoſe advantages to which they are independently intitled; nor indeed, with thoſe ornaments with which the reſpective authors were capable of embelliſhing them. The preſent author would be juſtly accuſed of temerity, or a greater fault, were he to inſinuate a criticiſm upon the works of his predeceſſors. Still, it may be ſafely aſſerted, that in every tranſlation of Cicero's orations, now extant in the Engliſh language, a great inferiority is diſcovered, between that particular work, and other productions of the ſame author. Whence this inferiority originated, is neither pertinent to the preſent purpoſe, nor decent to inveſtigate. The ſubject undoubtedly merited, every degree of attention; was worthy of any trouble, and of every pen. The great original indeed, provides ſuch a fund of ſenſe, ſpirit, and language, that nothing ſeems to be required but a mere tranſfuſion of thoſe properties. Reflexion or judgment, is ſcarcely neceſſary, to a ſucceſsful reſtitution of the original. Strong feelings

feelings, and a juſt ſuſceptibility, are the true, the only requiſites. We muſt therefore lament, that profound erudition, laborious reſearches, and ingenious minds, ſhould have explored the orations of Cicero, with inadequate ſucceſs.

WHY then, ſhould others of leſs eminence, perhaps unknown in the circle of literature, hope to ſucceed, where great and acknowledged talents have engaged, without acquiring proportionate reputation? Reaſons have been already aſſigned, that partly anſwer this queſtion. To thoſe might be added, that oratory is an art, like muſic, or verſification, incommunicable but to diſpoſitions particularly gifted, or prediſpoſed by nature to receive it. Conſummate knowledge, general talents, however great and extenſive, unaided by this particular prediſpoſition, can no more receive juſt impreſſions of the oratorial art, than an uninformed ear diſcover, the peculiar graces of a complicated and elaborate muſical fugue. Oratory, indeed, cannot be more properly claſſed, than with the muſical art. They are twin ſiſters. The object, and perſuit of both, in many reſpects, are alſo ſimilar. To pleaſe the imagination, and thereby convey to the mind ſuch propenſities and diſpoſitions as the artiſt has conceived, is congenial to both. The intermediate agent, is the ear. The inſtrument of conveyance the ſame in both, deluſive ſounds.

DOES not common, and the current obſervation of the times demonſtrate, that men of inferior talents in a general ſenſe, frequently engage the attention of aſſemblies compoſed

compoſed of the learned and judicious; and warp the judgment of underſtandings ſuperior to their own? Do we not inſtantly diſcover, that this is principally, and almoſt univerſally, effected by ſounds? Shall we then heſitate to pronounce, that harmony of period is the leading principle of oratory; and conſequently, the firſt to be conſidered, in rendering the orations of Cicero into another language? Nature indeed, beſtowed upon Cicero, the glorious advantage of uniting a vigorous and elaborate underſtanding, with an unrivalled excellence in literary compoſition. His language always flows, in periods muſically combined. By turns, bold, melting, and pathetic; but ever harmoniouſly. Yet, in this extraordinary union of talents, the greater part of his ſucceſs was undoubtedly due to the well-turned ſentence, and the harmonizing period. We are the better warranted in this aſſertion, by examining ſo cloſely as we may be ſuppoſed to have done, into the arts of Cicero. We find him frequently, in the predicament of defending a bad cauſe. Notoriouſly ſo, not only in his defence of Milo, but upon innumerable occaſions, where he was ſucceſsful. What then ſupported and crowned him with ſucceſs, but a deluſion of the imagination, a faſcination of the judgment of his audience, by falſe, but ſweet impreſſions upon the ear? By what means did he prevail upon Ceſar, a man of the moſt conſummate penetration, to abſolve Ligarius, to pardon and reſtore Marcellus, in both caſes evidently to Ceſar's diſadvantage, and in oppoſition to his own judgment and predetermination? What influence prevailed there, but the ſweetly-flowing period, the beauteous ſimile, the balmy panegyric, all conveyed in ſounds that overpowered reaſon,

reaſon, rendered judgment torpid, and made the moſt exalted underſtanding the dupe of the ear?

SUCH indeed, is the force of harmony in oratorial productions, that the underſtanding is conſtantly amuſed and deceived, merely by a fancied exiſtence of ſounds. When peruſing an harmonious production, though no ſound whatever is expreſſed, though perfect ſilence reigns, an idea of harmony, an effect almoſt equal to the recitation of the words, is conveyed to the mind. The powers and animation of the ſtile, operate almoſt as effectually upon the peruſer, as if he had been the recitor or the hearer. His progreſs in the work is ſmoothed, his judgment relieved and delighted, in nearly the ſame degree with actual recitation. In brief, we may ſay with Cicero: "That eloquence, or harmony, which is nearly the ſame "property, is not the deſcendent, but the progenitor of "art."

IF then the leading operation, the immediate attack of oratory is to be principally directed to the ear; if Cicero directed this battery more ſtrongly than any other orator, againſt that deceitful friend, that deluding organ; can his tranſlator heſitate a moment, in what manner he ſhould proceed? His mode of attack is thereby delineated and arranged; let him uſe the ſame engine, give it the ſame line of direction, and he muſt be egregiouſly deficient in the common properties of the underſtanding, if he ſhould fail. Hunting for points, commas, and colons; attempting to ſettle inexplicable difficulties, and ſolve irreconcileable abſurdities, the reſult of original inattention, or perhaps, the

the errors of tranſcript and the typographer; waſting days and months to diſcover, whether a verb ſhould be in the ſubjunctive or indicative mood, the preſent, or definite, the preter or pluperfect tenſe; are perſuits, not only unworthy of Cicero's coadjutor, they diſgrace genius, and in no wiſe aſſiſt the cauſe of literature.

HIGHLY however, as the advantages of that part of oratory called elocution, or harmony, ought to be eſtimated, and notwithſtanding the great properties aſcribed to the effect of ſounds; we hope it will not be underſtood, that we do not juſtly eſteem, the more elaborate, and ſolid properties of oratory. On the contrary, mankind muſt lament that harmony ſhould ever have obtained that unmerited preference over reaſon and argument, with which however, the earlieſt, and indeed every age, from the firſt dawning of authentic record, both ſacred and profane, to this day, have ſo invariably indued that deluſive engine. In temporal proceedings, the cauſe of truth and juſtice have, at every period of time, ſuffered by this preference. And in the progreſſion of ſpiritual events, we ſhall find that elocution has been conſtantly uſed by the omnipotent power, as the leading inſtrument for inculcating and inforcing divine truths.

WHEN MOSES was directed by the Omnipotent to effect the deliverance of the Iſraelites from bondage, he would gladly have excuſed himſelf from conducting the undertaking. Though he entertained no doubt of the extenſive power of his great employer; though he was convinced of his truth, his juſtice, and the ſtrength of his arguments; Moſes

Moſes nevertheleſs, pleaded inability, from the conſideration of a defective elocution; exclaiming: "O, my Lord! "I am not eloquent." The Omnipotent admitted the excuſe, and the department of oratory was conſigned to Aaron. "I know," ſays the Omnipotent, "that he can "ſpeak well; and he ſhall be thy ſpokeſman." The Kings David and Solomon; the prophets Iſaiah, Jeremiah and Ezekiel; were apparently choſen to conduct the Almighty's cauſe, from their ſuperior eloquence, and from the harmony of their diction and utterance, rather than from the ſolidity of their genius, or the ſtrength of their rational powers. In our Savior indeed, were united, all the beauties of eloquence with the ſupreme powers of ratiocination; but he was the immediate miſſionary of the Deity, and the emanation of divine excellence. The primitive fathers of the church, though they manifeſtly endeavor to copy theſe united excellencies of their great maſter; yet, the faculty which moſt aided their cauſe, and evidently their ſuperior talent, was elocution. Harmonious language, and a deluding utterance were the properties that rendered their ſucceſs ſo great, their proſelytes ſo numerous, and procured them that rank in literature, which ſucceeding ages have confirmed. Such, we may ſafely aſſert, have been the excellent effects of an harmonious elocution, in the propagation of the Chriſtian religion.

In temporal concerns, the parties being uninſpired, the conteſt being merely the efforts of human nature; the artful and elegant orator has been generally the victor over reaſon, argument, truth, juſtice, aud propriety; when contending with an adverſary unaided by the gift of elocution.

THE firſt dawning of Grecian eloquence furniſhes a ſingular example. The rhetorical powers of Solon, were ſo far from being inconſiderable, that Cicero dates the riſe of eloquence from that great man. His ſagacity, juſtice, and patriotiſm, were confeſſedly ſuperior to any of his cotemporaries, and perhaps, unexcelled by any of his ſucceſſors. Piſiſtratus, however, with an evident inferiority of judgment and ſagacity, not only invalidated the leading principle of Solon's legiſlative ſyſtem, which was democracy; but eſtabliſhed himſelf in the ſovereignty of Athens, ſolely by the irreſiſtible force of eloquent periods, and an harmonious utterance.

PERICLES, who poſſeſſed a great fund of judgment, was deeply practiſed in the philoſophy of his time, and had been ſcientifically inſtructed in the art of government by the beſt maſters; found the exerciſe of all theſe great and admired qualifications, unequal to the acquirement of that degree of power his ambition ſuggeſted. To the art of ſpeaking; to beautiful periods; to a tuneful and voluble utterance; he was principally indebted for his elevation. The military talents of Cymon, the learned and ſolid powers of Thucydides, which probably, would have triumphed over the genius, ſunk however, before the elocution, of Pericles. By that alone, he attained the ſummit of his utmoſt wiſhes.

CLEON, who alſo oppoſed, and aimed at the ſuperceſſion of Pericles, was ſcarcely indowed with one good quality, but certainly deſtitute of every requiſite quality of a ſoldier. Yet, upon the death of Pericles, he gained the ſummit of power, by his ſuperior eloquence alone.

EPAMINONDAS,

EPAMINONDAS, whoſe bravery, whoſe virtue and genius, raiſed him to the higheſt commands, and procured him the univerſal admiration of poſterity; were however, inſufficient to protect him, againſt ſuffering a ſentence upon one of the moſt unjuſt and ungrateful legal adjudications, that ever diſgraced the Theban government. The virtues, valor, and ſucceſs of Epaminondas, weighed nothing, when oppoſed to the injuſtice of the adjudication, and the envy of his compatriots. But, the eloquent and elegant oration, he delivered in ſtay of the ſentence, prevailed, after every conſideration of virtue, had proved ineffectual.

IN the latter days of Greece, when the art of oratory flouriſhed in a degree beyond the example of any other people, or period; when ten orators of great fame exiſted at the ſame time, with Demoſthenes at their head; let any man, acquainted with the hiſtory of Greece, ſay, whether truth, juſtice, and reaſon, were not inferior conſiderations? Whether the conflicting powers of thoſe orators were not principally directed to perſuade and delude by the powers of eloquence, rather than to direct to virtuous, or patriotic purpoſes? And laſtly, whether the ruin of Greece, was not the conſequence of an harmonious elocution; or as an ingenious author has expreſſed himſelf: "Whether the elocution of that period which "was the glory of Greece, was not alſo the ſource of its „ decadence and ruin?"

How many inſtances from the Roman hiſtory, and our own, might alſo be produced to demonſtrate, that flowing

periods, and an harmonious utterance, are the leading properties, which deluded that people into repeated acts of evident injuſtice, into the groſſeſt, and moſt obvious errors?

To particularize the numerous incidents however where oratory prevailed, to the prejudice of that ſtate, the injury of individuals, and in contempt of every principle of juſtice, would be no leſs tedious than unneceſſary. The Roman hiſtory is, perhaps, more read, and better underſtood among ourſelves, than the annals of our own nation. Of courſe we know, that the people at large formed the principal body of the conſtitution; and that the conſtitution itſelf, became ſucceſſively, the prey of every leader, who poſſeſſed the powers of a ſtrong, rapid, and harmonious utterance. Cicero himſelf, we have already obſerved, frequently turned his oratorial battery againſt the cauſe of truth; and with the greateſt ſucceſs. The orations now preſented to the public, with the comments and explanations ſubjoined as notes, will clearly evince the fact.

England however, remained free from the fatal effects of this deluſive, and treacherous faculty, till the cloſe of the ſixteenth century. And indeed, till the middle of the laſt century, the art of oratory had but a very mean ſtation in this country. Before this period, the debates in parliament were not collected with any degree of regularity; and that, moſt probably, becauſe the ſpeakers had not adorned their works with diction and elegance. Plain ſenſe, and candid reaſoning, hitherto prevailed, in ſenatorial proceedings. Neither the faſcination of the judgment by elocution, nor the corruption of the heart by other means, had then been

been introduced into our national aſſemblies. To theſe happy omiſſions we poſſibly owe our continuance to this time as a nation, and our independence as a people. To their introduction hereafter, we may likewiſe owe our ruin, as Greece, and other nations, have ſo fatally experienced.

The firſt diſplay of parliamentary oratory, was in the latter part of the reign of King James I. The growing faction of that, and the ſucceeding reign, produced a number of religious ſectaries, compoſed of men, bold, ſubtle, and rudely eloquent. That faction, generated an oppoſition in parliament, which, after the reſtoration, became a ſettled and regular ſyſtem of miniſterial annoyance. From that faction, and from this period, we may fix the era of an eſtabliſhed oppoſition; of parliamentary eloquence; and alſo, of the rebating influence of the court. Though ſuperior eloquence has, ever ſince, been uniformly on the ſide of oppoſition; adminiſtration has always found the method to counterbalance, and outweigh by other means, that ſuperiority. The four reigns which followed the reſtoration, produced many great orators, whoſe ſucceſs aroſe principally, from the cultivation of the ornamental parts of oratory; diction, and harmony. Thence, our language gradually refined. The ear was conſulted as the portal of the judgment, and the defile which led to the heart. Clarendon, Shaftſbury, Rocheſter, Buckingham, Nottingham, Trevor, Cowper, graced theſe reigns. But, the true ſpirit of oratory did not attain its higheſt degree of ſublimation, till the beginning of this century. Then aroſe an Argyle, an Ilay, a Marchmont, a Polwarth, Wharton,

Wharton, Shippen, Hamden, Lechmere, Wyndham, and Pulteney, were their coadjutors and ſucceſſors; and the climax cloſed, in a Pitt. The orators of the preſent day, however eminent and prevailing, it will be unneceſſary to particularize. But, in theſe, as well as thoſe inſtances we have diſtinguiſhed, elegance of diction, and harmony of utterance, were the powers which prevailed. Science, and erudition, they poſſeſſed but undiſtinguiſhingly with others; in language and delivery only they excelled; and therefore, ſo eminently ſucceeded.

After ſuch numerous, ſuch cogent, and immediate proofs, that the great and almoſt the ſole influence of oratory reſults from diction, and harmony, there can be nothing extraordinary, or irregular, in attempting to render Cicero a native of this country, upon the ſame principles. We have alſo, as we preſume demonſtrated, that Cicero himſelf, was of the ſame opinion in regard to the effect of thoſe properties. The laborious, the intenſe application he evinced, in the cultivation, and improvement of the diction and harmony of the Latin language, is a ſtrong and corroborating evidence of his own ſentiments upon that head. But his orations, are the moſt ſolid, and incontrovertible, as they are a living proof, how much he aſcribed to thoſe properties. Being ſo frequently engaged in very unjuſtifiable cauſes, where argument, reaſoning, and juſtice, were not only uſeleſs to him, but actually his opponents, every exertion of harmony and elegance, every beauty of language, and every deluding art, was indiſpenſibly-neceſſary to a ſucceſsful iſſue. His ſucceſs in thoſe exertions has been, through every age and nation, admired

admired and allowed, however this may manifeſt, the depravation of the human heart. They conſtitute nevertheleſs, his ſupreme excellencies. No mirror therefore, can ſo faithfully repreſent him, as a ſedulous imitation of thoſe qualities, by which he gained that univerſal admiration. That, we hope will alſo be a ſufficient reaſon for extending the obſervations on this point to ſuch an extraordinary length. And indeed, we flatter ourſelves, that the unremitting attention ſhewn to this, as we apprehend indiſpenſibly-requiſite property in a tranſlation, will alſo excuſe defects which may ariſe, in other particulars of the work.

HITHERTO, a perfect ſilence has been obſerved, in reſpect of that property which Demoſthenes aſſerts to be the leading one in oratory: action. Action however, being confined to delivery, could not influence a literary compoſition. And, in reſpect of the opinion itſelf, we preſume to ſay, that the preference aſcribed by Demoſthenes to action, is now univerſally exploded, both in ſentiment and practice. In practice, we confeſs too much ſo. For which we appeal to a review of the theological and parliamentary orators, who have flouriſhed within the memory of the preſent generation. So greatly, ſo totally indeed, is action neglected, or rather rejected, that Raphael would have ſought in vain in this country, for a model of his Paul.

IN the great ſuperiority aſcribed to elegant diction, and harmonious delivery, theological and parliamentary oratory, have been the principal objects conſidered. Law, and ſcience, require a degree of technical knowledge,

which no diction can evade, no harmony ſupply. Forms, precedents, and particular reaſoning, in the firſt inſtance; ſcience, judgment, and preciſion, in the other; are the only means of obtaining the prize before ſuch umpires, as thoſe ſubjects neceſſarily pre-ſuppoſe. Yet, elegance and harmony will ſometimes delude, even the learned and judicious. In ſhort, the human intellect cannot be ſo completely ſteeled with rectitude, nor ſo ſtrongly intrenched by judgment againſt the invaſion of ſounds; but that the head, like Achilles' heel, will be ſomewhere vulnerable.

THIS may ſuffice for the author's conception, of the manner in which Cicero's orations ſhould he rendered in every language; and in conſequence, of the manner in which he has attempted to render them. Some account alſo, of the original notes, or comments ſubjoined, upon his own authority; may not be improper, but perhaps expected, and neceſſary.

EVERY man who renders the writings of another into a different language, who undertakes a comment upon his works, or preſents him in any ſhape as the foundation of his own production; pre-ſuppoſes great excellence in his original. Should the ſubject of his comments generally, be correction and diſapprobation; yet, the very undertaking implies, the extraordinary merit of the original, in ſome reſpect or other. Some commentators, nevertheleſs, deluded by an enthuſiaſtic notion of their original, cannot, or will not perceive faults, or errors. Blinded, by general opinion, and their own peculiar predilections, their object muſt appear,

appear, in every point of view, faultleſs, and unblemiſhed. Their imagination, like a ſkilful optician, forms a mirror, which repreſents the object juſt as they wiſh it ſhould be repreſented; regardleſs either of the true figure, or the real dimenſions. In the preſent inſtance, deeply as the author has felt the impreſſion of his original's excellencies, he has not been tranſported into an enthuſiaſtic, and indiſcriminate partiality. When beauties aroſe, and ſupreme excellence was evident, he has commented with pleaſure, commended with warmth, colored with glowing, and as he hopes animated tints. But, when obviouſly-falſe declarations, conſciouſly aſſerted; when glaring abſurdities negligently, or wilfully adopted; when a ſhameleſs perverſion of right, and every principle of juſtice, have preſented themſelves in the moſt glaring manner to his view; the author, has refuted the firſt, expoſed the ſecond, and reprobated the third, with the ſame freedom he would have exerciſed againſt a cotemporary adverſary of leſs powerful authority. He has indeed, conceived it to be his duty in the proſecution of this work, to detect ſuch deluding practices, ſuch pernicious frauds. The greater the authority by which thoſe were countenanced, the greater, in his opinion, became the duty, and even the neceſſity, of a free inveſtigation, a public diſavowal, and a diſtinguiſhing execration.

Yet, after a free, and in ſome paſſages, ſevere animadverſion upon the original, there will remain ſuch teſtimonies of the author's acknowledgment of his original's excellence, as will ſuffice to demonſtrate, the delight, the veneration and affection, with which he has contemplated the works

of Cicero. Rendering theſe orations, into the Engliſh language has indeed, he confeſſes, been to him, a ſource of infinite pleaſure. In the exerciſe of that perſuit, he has been as much charmed and deluded by the orignal, as the audiences whoſe minds they inchanted, whoſe hearts they ſeduced. But, when the commentator commenced, when the ſtern and rigid judge took his place; then, like Sciolto, he has "held the balance with an iron hand."

Conscious of the great liberty aſſumed, in ſuch a commentarial and critical inveſtigation, the preſent author has exerciſed this function with conſtant references to Quintilian, and with aſſiſtance from other writers of great critical authority. Of thoſe, who ſcorning a ſervile adoption of popular opinions, have dared to cenſure with freedom, and condemn without reſerve, wherever their judgment ſuggeſted, that cenſure and condemnation were neceſſary. Upon thoſe principles every man ſhould certainly judge; though the ſtake may be deeper, and the riſk much more conſiderable. However, ſhould he fail, in ſuch an attempt, though his fall may be the greater, he falls nevertheleſs, with honor. Should he ſucceed, his reputation would proportionately augment. Cicero himſelf, firſt entered the liſts of fame, upon this idea. His genius, which was daring and ſublime, naturally led him to great undertakings, and to explore new worlds in the regions of ſcience. In theſe principles he was confirmed and abetted by the reply of the Pythian oracle, upon being interrogated; "Which was "the method to attain the ſummit of glory?" The Pythia anſwered: "By directing his conduct accord-"ing to the ſuggeſtions of his own genius, and not by "popular

" popular opinions." Keeping this precept always in view, with few deviations, and thoſe temporizing and abſolutely neceſſary, he poſſeſſed the ultimate object of his own ambition, and the promiſe of the oracle, in the fulleſt ſenſe; for he attained the ſummit of terreſtrial glory. In reſpect to the preſent attempt of planting a ſmall ſlip, gathered from the ever-flouriſhing laurel of Cicero, the principal merit conſiſts, " EANDEM CANENTE CAN-" TILENAM."

LUCIUS

NEPAL

LUCIUS CATILINE.

FOUR ORATIONS.

ARGUMENT

OF THE

FIRST ORATION

AGAINST

CATILINE.

CATILINE, with many perſons of the firſt rank in Rome, had engaged in a conſpiracy againſt their country, of the moſt ſanguinary and extenſive nature. Cicero, then Conſul, planted his emiſſaries on every ſide, and availed himſelf particularly, of the information collected from Fulvia. Fulvia, was a lady well born, but ſuſceptible of the ſofteſt impreſſions. Her paſſions and her indigence, were a clue to the acquirement of every ſpecies of intelligence; and the principal ſource from whence Cicero derived his information.

ARGUMENT.

Some proceedings, at the houſe of Marcus Lecca, the night before the delivery of this oration, had greatly alarmed Cicero; but the rank, influence and power, of the conſpirators, compelled him to proceed with extreme caution. He was furniſhed with materials, and information, ſufficient to prove, beyond the poſſibility of a doubt, the exiſtence, the deſign, and the intended proceſs of the conſpiracy. Still, he would not attempt to arraign the conſpirators, until ſome overt act of treaſonable violence ſhould appear.

An army was encamped in Tuſcany, commanded by Caius Manlius; formed, as Cicero knew, to be the engine for the conſpirators to work with. Catiline, he alſo well knew, was to have the future command of that army, and deferred his departure only till Cicero's aſſaſſination; which, at Marcus Lecca's houſe, was planned, to take place in the courſe of the preceding night. Cicero therefore, inſtantly took the neceſſary precautions for his perſonal ſafety; and judging the ſucceeding day a proper time for diſcloſing his intelligence, he then convoked the Senate in the temple of Jupiter Stator.

There he managed his diſcoveries with ſo much art, that Catiline, contrary to his original deſign, inſtantly left the city. Cicero conjectured, that Catiline's retirement from Rome, would be followed by an immediate erection of the ſtandard of rebellion. The juſtice of a proſecution would then be obvious; and a great majority of the people declare for him. Beſide, Catiline's preſence in the city, ſerved but to increaſe and cement the conſpiring band; whoſe firſt great object was to kill Cicero. Every circumſtance therefore, concurred to render Catiline's departure from Rome an abſolutely neceſſary ſtep; and a voluntary ſeceſſion ſeemed to Cicero, the moſt popular, though equally efficacious method, of anſwering

that

that purpoſe. Such a ſeceſſion was the preſent object, and effected in a manner, moſt favourable to Cicero's ſubſequent operations.

This oration, Cicero delivered before the Senate, aſſembled in the Temple of Jupiter Stator, on the eigth day of november, in the year ſix hundred and ninety, U. C. and in the forty-fourth of Cicero's age.

FIRST

ORATION

AGAINST

CATILINE.

ADDRESSED TO THE SENATE.

[a]HOW much further, O Catiline! wilt thou tempt our power of enduring? How long ſhall thy ſeditious practices elude our juſtice? And whither will thy unbounded daring lead thee? Canſt thou obſerve the nightly arming of the [b]palatium, the perpetual vigil of the citizens, the univerſal terror of the people, the aſſembling of the virtuous and well-diſpoſed; the ſenators convened in garriſon; the horror and contempt of thee, viſible in their countenances; and ſtill remain unmoved? Or, are you ignorant of your counſels being expoſed, your ſchemes detected, and made known to every ſenator of the houſe? That they are informed of every particular, tranſacted during the two

[a] [A] NOTE I. [b] [B] NOTE II.

laſt

laſt nights? Have been told where, whom, you aſſembled; and the very reſolves of your debates?——

WHITHER, alas! is the Roman ſpirit fled? Shall the ſenate be informed of treaſon, the Conſul in poſſeſſion of ample evidence; and the traitor yet live? Live! By Heaven, he ſits in the place of honor, acts as a ſenator; and, while we continue tame ſpectators, ſingles us out for blood, for deſtruction. Still we, how little deſerving the name of Romans! think the honor of the republic ſufficiently aſſerted, in acting defenſively, againſt the arms and machinations of ſuch a horrid traitor.

IF the Conſul had performed his duty, theſe exhortations, Catiline, had been unneceſſary; and that deſtruction you meditate for us, long ſince averted, by one act of public juſtice. Muſt hiſtory record, that Publius Scipio, in his pontificate, avenged the republic's cauſe in the capacity of a private man, by killing [c] Tiberius Gracchus upon a mere ſuſpicion of incroaching upon the conſtitution? That Ahala, at a more remote time, plunged his weapon into the heart of [d] Spurius Melius, for a mere attempt to innovate upon the eſtabliſhed government? And ſhall we, your Conſuls, ſo inſtructed, armed alſo with your ampleſt power and authority, patiently ſuffer the treaſons of Catiline; who labors to carry ſlaughter and devaſtation throughout the univerſe?

[c] [C] NOTE III.

[d] [D] NOTE IV.

THE

THE flame of liberty, has burnt bright in Rome. Yes, Conſcript Fathers, there was a time when the ſpirit of Rome, would have more vindictively puniſhed a ſeditious citizen, than an inveterate enemy. But why do I arraign the ſpirit of Rome? [e]The ſenate has iſſued a decree the moſt ſevere and vindictive; the wiſdom of the ſtate, and the dignity of your order, have conſpicuouſly appeared: the defection now, is only in your Conſuls.

How different was the conduct of Lucius Opimius when the ſenate ordered him, being Conſul, "To "BEWARE THAT THE REPUBLIC RECEIVED NO INJURY!" The day in which he received the order, [f]Caius Gracchus, the object of the ſenate's decree, though a man as illuſtriouſly born and deſcended, as any in Rome; yet Caius Gracchus, that very day received, the ſtroke of juſtice. Marcus Fulvius alſo, a patrician of Conſular rank, with his children likewiſe, ſuffered the ſame fate, and upon the ſame occaſion. When ſimilar powers, in another caſe, were delegated to the Conſuls Caius Marius, and Marcus Valerius; how long was the fall of [g]Lucius Saturninus, the tribune, and Caius Servilius, the pretor, delayed? Did either of them ſee the returning light? But we, your preſent Conſuls, by a delay of twenty days, have ſuffered the edge of your authority to grow blunt in our hands. We poſſeſs already, a decree, firm and extenſive, as your power can frame; yet, like rolls of parchment

[e] NOTE V. [f] NOTE VI. [g] NOTE VII.

in a drawer, or ſwords faſt incloſed in the ſcabbard; that decree lies torpid and uſeleſs in our poſſeſſion. Your, a traitor's life, is by the ſenate's decree, reſigned to our diſcretion. Yet you live, and not to contrition and remorſe; but, in the exerciſe of new treaſons.

To temper juſtice with mercy, Conſcript Fathers, has been always my delight; but the ſoft voice of pity will never, I hope, influence me, in a caſe of danger to the ſtate. Still, I fear my conduct in the preſent exigency, muſt bear the appearance of weakneſs and inertitude.

An army lies encamped upon the borders of Tuſcany, and within the confines of Italy, ready to act againſt the republic; freſh troops arrive every day; and the real commander of all theſe forces, reſides within our walls, ſits in our aſſemblies, and facilitates their operations without, by confederacies within the city. Should I, Catiline, ſeize you this inſtant, or, order your immediate execution, the cenſures of the judicious, would even then lie againſt me; and, not for the ſeverity, but the tardineſs of the blow. Still, from reaſons now incommunicable, I am induced to delay the ſtroke of juſtice; which however, all men ſeem to condemn me for poſtponing. When thou doſt fall, no man ſhall be found ſo abandoned, ſo ſhameleſs, ſo very like thyſelf; not to approve the act. Yet, while there is a man who dares avow thy crimes, thou ſhalt live; but how? As thou doſt now; ſo environed

environed by my firm and vigilant guards, that thou ſhalt neither have ſpace, nor opportunity, to act againſt the republic. The eyes and ears of thouſands, whom thou doſt not ſuſpect for my ſpies, are planted upon thee; and ſhall, as they have hitherto done, obſerve thy motions, and hold thee in perpetual, though inviſible cuſtody.

What then of hope, remains? If the ſable veil of night has proved unequal to the concealment of your nefarious aſſemblies; if the walls of the houſe cannot prevent the treaſons you there ſuggeſt, from tranſpiring; if you can neither conceal yourſelves nor your proceedings, under favor of the moſt ſecret contrivances; to what purpoſe do you continue your conſpiracies? Adopt better principles. But, firſt diveſt your mind, of a propenſity to murder and rebellion. Your very thoughts are pinioned by my emiſſaries; and borne to me upon the wings of diſpatch. The ſun in its meridian, is not more viſible, than your proceedings to me. Which you will eaſily know, by the following relation.

You muſt remember I foretold to the ſenate, on the twenty-firſt of october, that Caius Manlius, your agent and tool, would appear in arms before a certain day; and ſpecified the twenty-ſeventh of the ſame month. Say, Catiline, was I right in my prediction regarding your foul and unnatural treaſon? And further, whether I named the preciſe day fixed by you, for the diſcloſure of that treaſon? In the ſame ſenate, I intimated your infernal deſign of maſſacring the whole patrician order on the twenty-eigth of october; when many of that noble order left the city,

though not from fear, or an idle attachment to life, but to enable them the better to repreſs your ſubſequent attacks. You however, was ſo ſurrounded by my guards, ſo cramped by my diligence, and my judicious diſpoſitions, that you could proceed no further. Nevertheleſs, you affected to ſay, that notwithſtanding many had eſcaped, enough of noble blood ſtill remained in Rome, to ſatisfy your luſt of murder. But you, were every where baffled. When you attempted to take Preneſte by ſurprize, in the night of the firſt of november; what was the ſtate of that colony? Did you not find every part ſtrengthened, and the garriſon reinforced in ſuch a manner, as demonſtrated the moſt infallible marks of my vigilance, and adroitneſs? In ſhort, thou canſt perform nothing, attempt nothing, imagine nothing; but what is acted in my preſence, planned in my view, and inſtantly wafted to my knowledge.

Reconvey to your view, the ſcene exhibited laſt night; and declare, which are moſt ardent and prevailing, your deſires to deſtroy, or my endeavors to preſerve, the republic? But, I will repeat the circumſtances of laſt night, when you, attended by other ruffians, repaired, I muſt ſpeak openly, to the houſe of Marcus Lecca. There you met to confederate and conſpire with ſome of the ſame ſtamp, previouſly aſſembled to receive you. Dare you deny this? You are ſilent; I ſhould otherwiſe have produced moſt damning proofs. Some honorable ſenators, then upon the ſpot, and now in my view; muſt, in that caſe, have been called upon, to corroborate my aſſertions.

IMMORTAL Powers! From what race are we deſcended? Members of what empire? Inhabitants of what city? Here, Fathers Conſcript, within theſe walls, in this aſſembly, an aſſembly unequalled throughout the univerſe, in reſpect of dignity and power; yet here ſit men, who are plotting againſt my life, and your ſafety; who are meditating the deſtruction of this city, in whoſe fate the whole world is involved. I ſee them, know them, collect their opinions as ſenators. Yet, though the duty of Conſul demands that I ſhould offer them up inſtantly, as victims at the ſhrine of the republic; I am nevertheleſs ſo moderate, or rather ſo ſupine, to wave even the mention of their names.

BUT, to return Catiline, to that night of predooming ſlaughter, the night you met at Lecca's houſe. There you parcelled out the empire, like a farm; aſſigned to the conſpirators their reſpective [h] poſts; ſelected who of them ſhould remain at Rome, who go with you; planned the mode of firing the city; and publiſhed your intention of ſoon taking the field. Your departure however, was to be delayed a ſhort time, as I was yet alive. But, to remove this impediment to your progreſs, two Roman knights, engaged, I ſhould that very night, and before the dawning of day, lie a corpſe in my bed. All theſe [i] diſpoſitions were communicated to me, before your aſſembly diſperſed. I inſtantly ſtrengthened the paſſes to my houſe, and reinforced the guard appointed for my defence. Thoſe who ſhould come with ſalutations from you, were, by my orders, to

[h] [H] NOTE VIII. [i] [I] NOTE IX.

be

be denied admittance. I even deſcribed to many, then preſent with me, the particular perſons you would ſend; and foretold the preciſe hour of their arrival.

THIS being the ſtate of your affairs within the city, retire; and perſue your ſchemes without. The gates are open; avail yourſelf of the opportunity. Your forces under Manlius have long wanted their chief commander's preſence. Your confederates may attend you; as many at leaſt as chooſe to avow your cauſe. Exonerate the city of ſuch a monſtrous burthen. My apprehenſions of ſecurity depend entirely upon ſome ſtrong fence being interpoſed between us; and here you ſhall not remain. I will no longer bear with your preſence; for your continuance is a reproach to me.

INFINITE are our obligations to the Gods; but greateſt to thee, O [k]JUPITER STATOR! thou ancient guardian, thou tutelary god of Rome; who haſt ſo often confounded the peſtiferous machinations of this infernal enemy of the republic. In any caſe, what is the life of an individual; in compariſon of removing a bare apprehenſion of danger, from the ſuffering minds of a whole people?

BETWEEN my [l]election to the Conſulate, and my entrance upon the office, I was frequently engaged in forming a defence againſt your treacheries: but, through the exertions of my private connexions; and unaided by the public power. When, at the laſt election of Conſuls, you attempted to murder me, and the other candidates who oppoſed you for the Conſulate; did I not

[k] [K] NOTE X. [l] [L] NOTE XI.

repreſs

repreſs your daring attacks, by the aſſiſtance of my friends and my own perſonal influence merely, without even calling upon the force of the republic? At other times, and as often as you have attacked me, have I not defended myſelf ſingly; and alone repelled, your villainous attempts? Nor, could the loſs I knew the republic muſt ſuffer in my death, ever reſtrain me from riſking my life in engaging you, when attacked. But you have now removed the maſk, now avowed your deſigns to be of a public nature. Every man is now informed, that your aim is to ſubvert the government, and to undermine religion; to raze the city from its foundation; to murder the inhabitants; and finally, to lay waſte the whole empire of Italy.

Not chooſing at this juncture, to perſue the cuſtom of our anceſtors upon ſimilar occaſions, however conſtitutional to this government; I ſhall proceed in a manner which, though falling much lighter upon the offender, will conduce no leſs, to the public ſafety. Should I order your execution, the ſeeds of rebellion would ſtill remain in the perſons of your confederates. But, if you quit the city, as I now exhort you to do, every pernicious particle will be ſwept away, with the crowd of conſpiring villains that may attend you. Ah! do you heſitate to perform the prime object of your wiſhes, becauſe ſuggeſted by me? The Conſul, you will ſay, commands an enemy to leave the city; are theſe commands a formal ſentence of baniſhment? No, they are not pronounced as a ſentence; but, if you mean to aſk my opinion, "BE GONE," without adverting to the mode of expreſſion.

WHAT pleaſures can there be in Rome for you to enjoy? What ſatisfaction for you to taſte, in a city where every being holds you in the utmoſt abhorrence; where all, except your own abandoned accomplices, dread your violence? Is there a ſingle inſtance of moral turpitude, that is not to be found deeper impreſſed on your character than that of any other man exiſting? Is there a mark of infamy with which you have not been branded; or a luſt with which your eyes have not been inflamed? Is there a ſpecies of wickedneſs unperpetrated by your hands; or, any impurity that has not ſtained your body? [m] Have not all the youth you debauched, been the victims of your ſnares and devices; and continued in their profligate courſe, by the power of your ſword, and the repeated allurements of your libertiniſm? But what are theſe events, compared with clearing a houſe for the reception of a new wife; with ſweeping away, at one ſtroke, every obſtacle to a man's deſires; even though the object of thoſe deſires ſhould be unattainable, but by committing the blackeſt inceſt? I ſhall not however, explain myſelf further on this head. Better, ſuch a vaſt enormity ſhould be paſſed in ſilence, than explored, without a recitation of the offenders puniſhment. Neither ſhall I touch upon the ruin ſuſpended over all your fortunes; which you too well know, muſt inevitably burſt upon you, at the [n] next ides. The ſubject I am perſuing, is of a more extenſive and important nature than the developement of your vices, the diſtreſs of your fortune, or, a ſcrutiny into your private conduct, however flagitious. The ſafety of the republic, the preſervation of

[m] [M] NOTE XII.

[n] [N] NOTE XIII.

the

the lives of my fellow citizens; theſe, are now the objects of my concern.

Does not the light of heaven feel blaſting, and the very air you exhale, noxious to your ſenſes; when you reflect that no man in this aſſembly is unacquainted with your preſenting a [o]weapon of defiance, in the Comitia aſſembled under Lepidus and Tullus on the eve of the ides of january? That all men know, you had prepared a body of your confederates to [p] murder the Conſuls, and cut off the flower of the Roman nobility; and, that the fruſtration of this execrable project, was owing to neither fear nor remorſe on your parts, but to the interference of that propitious deity, which ever preſides over the fortunes of the republic? But theſe are circumſtances upon which I ſhall not dwell; becauſe there are others of equal notoriety, and a more recent date. When Conſul elect, how many attacks did you aim at my life? And, how often renewed, during my Conſulſhip? How frequent have been my eſcapes, in avoiding thruſts made by you with ſeemingly-impaſſable dexterity? Yet, to ſpeak in the language of gladiators, by proper diſpoſitions of the body at one time; and as they ſay, by retiring ſome few paces at other times; I have always evaded your point. Still, though your ſchemes, your perſuits, your actions, are all communicated to me long before the operation of their effect; nevertheleſs, you are eternally buſy, ever attempting. How often has your murderous poniard, been arreſted in its courſe? How often failed, by caſual and unexpected incidents, in the

[o] NOTE XIV.

[p] NOTE XV.

perſuit of murder? Yet inſtantly, you are again at work. By Heaven! ſome unhallowed power, ſome infernal rite, ſeems to have excited in that weapon, a perpetual thirſt after [q]Conſular blood.

Let us however, take a view of your preſent ſituation. And here, I ſhall not uſe all thoſe dark ſhades the picture requires; but introduce many gratuitous ſtreaks of light. Now tell me, Catiline; when you lately entered the ſenate, who of all thoſe numerous friends and relations, which heretofore ſurrounded you in groupes; what one perſon ſaluted, or noticed you? You may perhaps fear, I ſhould aggravate this awful, this prejudging ſilence; by the addition of contumelious, and reproachful expreſſions. No, the circumſtance being without precedent in the memory of our generation, muſt ſtrike ſo deep into your heart; that I will not add weight to a preſſure, already exceſſive and intolerable. At your approach to obſerve the ſeats inſtantaneouſly vacated? To ſee the Conſulars, who had each been, at ſome period, the object of your treachery; flee their places, and leave you the excluſive poſſeſſion? Does not your heart bleed at the remembrance? Should my ſlaves conceive the ſame abhorrence of me, which the citizens of Rome manifeſted againſt you; by the all-judging Gods! I would forthwith deſert my habitation. And ſhall you, under ſuch circumſtances, continue in Rome?

Were I apprehenſive that the public ſuſpected me of heavy offences, and that my fellow citizens contemned

[q] [Q] NOTE XVI.

me;

me; I would much rather ſhun the light, than meet every eye inviduouſly and diſgraciouſly turned upon me. But for you, ſuffering the univerſal odium; conſcious likewiſe, that all mankind are convinced of your guilt: for you to doubt, even a moment, whether you ſhould retire from the public view, from an intercourſe with thoſe, whoſe minds you have diſtreſſed, and whoſe feelings you have wounded; is monſtrous. Should you become an object of dread, and incur the odium of your natural parents; and ſhould every effort to ſoften their diſguſt, prove ineffectual; would you not, in that caſe, retire from their preſence? You are in this predicament with your country; the common parent of us all. She dreads, ſhe deteſts you; and has long beheld you as a man whoſe mind is ſolely occupied in meditating her deſtruction. And ſhall you ſtill continue, to diſreſpect her authority, contemn her decrees, and defy her power? That parent now calls upon you; by me ſhe ſpeaks, and thus ſhe accoſts you:—

" Many years, O Catiline! haſt thou been my ſcourge;
" nor has any crime of magnitude been perpetrated but
" through thy contrivance. That my [r]citizens have been
" murdered, my allies ravaged and inſulted with impu-
" nity, and without reſtraining even the perſons of of-
" fenders, are conſequences reſulting from thy crimes
" alone. Yes, Catiline, to thee I may juſtly impute,
" that my laws and judgments have been, not only
" neglected and deſpiſed; but overturned and aboliſhed.
" Though ſuch crimes ought not to have been a moment

[r] NOTE XVII.

" endured, I have, however indignantly, borne a ſeries
" of injuſtice. But now, every faculty is rouſed, and terror
" flies through every vein. Upon the leaſt alarm thy
" dreaded image is preſent to my view. Thy projects
" all aim at my deſtruction; and I will endure thee no
" longer. Begone therefore, and free me of all ſuſpi-
" cions. Should my ſuſpicions prove true, I might then
" oppoſe thee. If not, I ſhould at leaſt enjoy repoſe."

THUS urged, thus commanded by your country, can you alledge a reaſon for not obeying her voice; even though ſhe herſelf were unable to compel your obedience? Did I not, you will ſay, ſurrender myſelf into cuſtody; and, to avoid ſuſpicion, propoſe to reſide with Marcus Lepidus? You did, and I think upon his rejection, you had the audacity to offer the ſame favor to me. But I, peremptorily refuſed to be a moment under the ſame roof with a man, whom I judged too near me for my own ſafety, at any diſtance within the limits of the city walls. Your next application was to Quintus Metellus, the pretor. Refuſed by him alſo, you then had recourſe to your very good friend and aſſociate, Marcus Marcellus. There, no doubt, you felt quite ſecure, of being ſtrictly guarded, diligently obſerved, and vigorouſly proſecuted. [s] When a man thus acknowledges himſelf deſerving of confinement; chains and impriſonment, ſeem a neceſſary conſequence.

THUS circumſtanced, Catiline, if reſigning thy ſoul in peace here, is impoſſible, why heſitate a moment in ſeek-

[s] [S] NOTE XVIII.

ing

ing ſome remote corner of the earth, where thou mightſt breathe out in quiet, that life ſo juſtly, and repeatedly forfeited to thy country? [t]Move the ſenate, I hear you ſay, to decree a ſentence of baniſhment; by which you would pretend a diſpoſition to obey their decree. However, I ſhall not move the ſenate; my judgment directs otherwiſe. But, I will try their ſentiments by another method. "Depart the city, Catiline, deliver us from "our fears; and, if the word baniſhment be a previous "requiſition, Go THEN INTO BANISHMENT." Ah! mark the conſequence of that denunciation. All paſſive. All ſilent. Their ſilence, be aſſured Catiline, is more than equivalent, to the moſt violent declamation for your expulſion.

HAD I pronounced in thoſe terms, againſt that excellent youth, Publius Sextius; or, had I uttered ſuch a decree againſt the noble Marcellus; the dignity of the place, and even the authority of the Conſul would have been inſufficient to protect me from the juſt indignation of the ſenate. But, in your caſe, Catiline, their paſſiveneſs is my approbation; their patient hearing your condemnation; and their univerſal ſilence, clamor againſt you.

BUT, this is not peculiar to the ſenators, whoſe authority you pretend to revere, while you [u]ſport with their lives. The faithful order of Roman knights; the worthieſt and the braveſt of the citizens, aſſembled round the ſenate; all entertain the ſame opinion. Their numbers you may eaſily perceive, their wiſhes, you will eaſily diſ-

[t] NOTE XIX.

[u] NOTE XX.

cover;

cover; for the ſound of their voices has, I believe, by this time, penetrated your brain. Reſtraining them, thus long from demoliſhing you, has been a difficult taſk; nevertheleſs, accede to the word baniſhment, and I will anſwer for their being your ſafeguard to the city gates.

But, why do I reaſon with thee? Who could ever bend thy ſtubborn ſpirit, or correct thy principles? Why therefore ſhould I ſuppoſe thou wouldſt think of flight? That any ſuch good purpoſe could enter thy imagination? Still I ſupplicate the Gods, for ſuch a bleſſing. But, ſhould my voice, ecchoing the voice of my country, ſtrike terror to thy heart, and drive thee really into baniſhment; *what a torrent of obloquy would devolve upon me? Greatly oppreſſive at preſent, while the memory of thy crimes is recent; but inconceivably ſo hereafter. This nevertheleſs, in regard to myſelf, I ſhall deſpiſe; ſo that the republic be not affected. Yet ſurely, extreme folly and preſumption alone could ſuppoſe, that any event would remove thy vices, inſpire thee with reverence for the laws, or raiſe one patriotic idea in thy mind. No, Catiline is not a man to be deterred from evil by the dread of ſhame; from danger, by fear; nor is he one, whom the voice of reaſon can reſtrain from violence. Begone then, as I have repeatedly deſired thee; and, if thou haſt a wiſh to fan the flame of popular reſentment againſt me, Go INTO BANISHMENT. Then wilt thou overwhelm me with the public reproach; and the dignity of my office will ſcarcely ſupport me, againſt the invectives I muſt expect; if, by a

* [W] NOTE XXI.

Conſul's

Conſul's command, thou ſhouldſt be ſent into baniſhment. But, if you prefer my glory, and wiſh to crown me with applauſe: Go forth with your infernal troop; fly to the camp of Manlius; draw after you the diſaffected, from Rome; make a complete ſeparation from the well diſpoſed; declare war againſt your country; exult in the impious attack. So ſhall your flight appear an obedience to the call of rebellion; and not of compulſive baniſhment? But, why to you, urge ſelf-baniſhment? Do I not know that a conſiderable body of men, detached to the [x]Aurelian forum, are, at this inſtant, waiting for your arrival? That a day has been concerted and fixed with Manlius? That he has ſent the [y]ſilver eagle, deemed by you, the ſtrength and ſupport, the very ſanctuary of your crimes? But what, I truſt, will nevertheleſs, bring ruin, diſgrace, and puniſhment upon you all. I wonder indeed, you could proceed ſo far without this privileger, this authorization of rapine and murder. How often alas! have your hands, from worſhiping this object, been inſtantly transferred to the dreadful office, of ſhedding the blood of your fellow citizens?

Go then, where thy unreſtrained ambition, thy furious paſſions, have ſo long been urging thy retreat. A ſeparation from Rome will not afflict, but animate thy ſpirit. Nature indeed, appears to have caſt you for the genius of enterprize. You have ſtrengthened nature's purpoſe by habit; and fortune ſeems now to favor your undertakings. Your ſoul has been always too active, to permit your con-

[x] NOTE XXII.

[y] NOTE XXIII.

tinuance

tinuance in indolence. But whenever urged to action, whether in war or any other perſuit, you have been uniformly, on the ſide of iniquity. You are, at this moment, united with the verieſt ſcum of the people; with men, deſtitute not only of fortune, but of hope. Theſe, Catiline, are your ſupporters. O! what joy wilt thou feel, what exultation to thy ſoul, what an unuſual zeſt to thy bacchanalian revels, when thou haſt this ſupremely-bleſſed reflection; that, in all thy numerous bands, not one honeſt man is inrolled! In ſhort, theſe are the perſuits, the labors of Catiline's life: to paſs the night on the cold earth, waiting the moments propitious to rapes, and other crimes; [z] to catch the hours, the minutes, of the huſband's repoſe, to enjoy his wife, and plunder him of his effects. The occaſion is now ripe, to manifeſt your contempt of hunger, cold, and every inconvenience of life; and, believe me, a very ſhort time, will try your utmoſt powers of endurance this way. Your repulſion from the Conſulate, in conſequence of my oppoſition, has had this one happy effect at leaſt: your future efforts to diſtreſs the republic will be thoſe of an exile only; of one unarmed with Conſular powers. In other words, your enterprizes henceforward, may be more properly denominated the deſperate enterprize of an unlicenſed freebooter, than the war of a potent enemy.

INDULGE me juſt now, O, Fathers Conſcript! with the privilege of an attentive hearing, and a faithful retention of my words; that I may chace from your minds every ſymp-

[z] NOTE XXIV.

tom

tom of complaint, or of diſaffection to my country. For, ſhould that country, which I prize far beyond my exiſtence, ſhould Italy to her utmoſt boundaries, the legiſlature itſelf, thus addreſs me: "Cicero, what are you doing? "Permitting the known, the avowed enemy of the re- "public, actually urging war againſt us here, and anxi- "ouſly expected to command the enemy's forces; are you "not, I ſay, permitting the ſource of this rebellion, the "leader of the conſpiracy, [aa] the inliſter of ſlaves, and the "moſt abandoned of the community, to go forth undiſ- "turbed from the city? [ab] Is not a permiſſion to leave the "city at ſuch a juncture, and in ſuch a caſe, equivalent to "an introduction? Why do you not ſeize the monſter, or- "der him for inſtant execution, and offer him up a man- "gled ſacrifice, at the ſhrine of the all-powerful Gods? "What retards? Not want of precedent. Private perſons "have often, as you well know, ſupplied the place of "public juſtice, by putting traitors to death. The laws, "relating to the ſubject, do they reſtrain? No. [ac] Defect "of allegiance is clearly, a forfeiture of all civil rights, and "ſuch has been the rule of law invariably, in Rome. "Does the fear of offending poſterity reſtrain your con- "duct? Surely that would be an ungrateful return to the "preſent generation, which, without the recommenda- "tion of an anceſtry, or, without any other knowledge of "thee than thy own perſonal recommendations; took thee "under her choiceſt care, bore thee ſecurely and [ad] rapidly "through every gradation, and fixed thee at laſt, on the

[aa] [AA] NOTE XXV.
[ab] [AB] NOTE XXVI.
[ac] [AC] NOTE XXVII.
[ad] [AD] NOTE XXVIII.

" very pinacle of honor. And, ſhouldſt thou, ſo exalted,
" whether, through [ae] fear of envy or reproach, or through
" any fear of danger whatever, neglect the ſafety of my
" children; ſuch ingratitude would be monſtrous. After
" all, if reproach muſt enſue; would you rather dread
" the conſequences from a puſilanimous inactivity, than
" from a vigorous and ſpirited exertion? But, when war
" ſhall have laid waſte the face of Italy, when my cities
" ſhall have been delivered to the ſpoil, and conſumed in
" one general conflagration: Do you vainly imagine that
" your character ſhall ſtill ſurvive the raging flames of envy
" and reproach?"

To this awful addreſs of my Country, and of thoſe who correſpond in ſuch ſentiments, permit me to reply, in an addreſs to you. " If, Fathers Conſcript, the death of this
" gladiator, had appeared to me a proper meaſure at this
" juncture, he ſhould not have ſurvived an hour. Great
" and illuſtrious men, in ſimilar circumſtances, ſhedding
" the blood of a Saturnine, a Flaccus, or the Gracchi,
" have been thought to perform not only a ſeemly, but an
" amiable act. Then ſurely, Venerable Fathers, I need
" never fear the reproach of poſterity, for cruſhing a Ca-
" tiline, for killing a paricide? But, the fouleſt breath
" of reproach, hovering over me like a peſtilence, would
" not alter my principles. I have ever defied reproach,
" when acting virtuouſly and bravely: and if reproach
" ſhould aſſail me in ſuch a predicament, the reſult will be
" my glory, and not my ſhame. [af] Some among you, who

[ae] [AE] NOTE XXIX.

[af] [AF] NOTE XXX.

ſee

" ſee not, or ſeeing diſſemble your opinion of the immi-
" nent dangers which ſurround us; have already, by your
" ſoothing ſpeeches, ſwelled the hopes of this conſpirator,
" and, by your incredulity, confirmed the growing con-
" ſpiracy. While others, following your ſentiments, and
" reſting upon your authority, would hereafter not only
" diſhoneſtly, but ſtupidly have aſſerted, that in putting
" Catiline to death, I incurred both the imputation of
" acting cruelly, and the ſuſpicion of [ag]affecting royalty.
" But, tell me, ſhould Catiline join the camp of Manlius,
" which is apparently his intention; who, among you, is
" ſo ignorant not to ſee, who, ſo abandoned not to con-
" feſs, that the conſpiracy muſt, in the ſame inſtant, fully
" appear? By the death of one conſpirator, treaſon
" might, for a moment, be ſmothered; but, could not
" be extinguiſhed. Permit however, their leader to de-
" part, let him retire with thoſe deſperate wretches who
" are prepared to join his ſhipwrecked fortunes; then will
" you perceive, not only the extinction of this conſpiracy;
" but that the roots, the ſeeds of rebellion, are extirpated
" from the whole empire. The arts of this conſpiracy, and
" the dangers to which we have been thereby expoſed, are
" many, and of long ſtanding. But wherefore, Conſcript
" Fathers, ſhould this tumor, this gangrene of the ſtate, [ah]ſo
" long gathering, ſo long feſtering, come to maturity, juſt
" in the period of my Conſulate? By diſcharging the
" body of one foul particle, you might, perhaps, divert
" the humors, and enjoy a temporary ſuſpenſion of the

[ag] NOTE XXXI. [ah] NOTE XXXII.

" diſeaſe; but the danger to your conſtitution would con-
" tinue the ſame. The venom muſt ſtill run through your
" veins; ſtill prey upon the bowels of your country. So,
" the human conſtitution laboring with diſeaſe, and con-
" ſuming with a fever's raging heat, being ſupplied with
" water, finds preſent comfort and relief; but, alas! the
" conſequence is a recurrence of the diſorder, with accu-
" mulated force. And, ſuch would prove the republic's
" caſe. Relieved for a moment by Catiline's death, only
" to render deſtruction more certain by his aſſociates."

For theſe reaſons, moſt honored Senators, let their worthleſs confederacy retire. Suffer yourſelves to be purged of ſuch peſts; and let them unite without the city, unmoleſted. In ſhort, let my conſtant recommendation prevail; that between us a wall may for ever interpoſe.

Here will be an end of ſnares to deſtroy the Conſul in his own houſe; and of ſurrounding the tribunal of the city pretor. Your courts ſhall be no longer beſieged by armed men; nor fire-balls and torches prepared to burn your city. To ſpeak plainly; Let every man's opinion of government be as public, as if inſcribed on his forehead. I pledge myſelf, Fathers Conſcript; and, from the diligence of your Conſul, the authority of your own order, the bravery of the Roman knights, and the univerſal concurrence of good men, I am warranted in the aſſertion; that, Catiline being expelled, all his treaſons ſhall be developed, and repreſſed; and the honor of the republic fully vindicated.

PROCEED therefore, Catiline, with all theſe [a]unpropitious tokens hanging upon the neck of thy impious, and paricidal war. Now proceed to the execution of thy deſigns. And, may they prove as deſtructive to thee, and thy infernal crew, as ſalutary to the republic! Then, O awful Jove! thou guardian God of Rome, firſt worſhipped by our great founder, Romulus, the great ſtay alſo of this city, and of the Roman Empire; then ſhalt thou thruſt from thy altars; from the public worſhip; from this city, and its walls; from the lives and fortunes of the Roman people: this traitor, and his confederates. Then, avenging Jove! ſhalt thou deſtroy them, as the enemies of virtue, the ravagers of Italy, and the paricides of their country. And as a band of villains, united in the blackeſt of all conſpiracies, puniſh them, both here and hereafter, with unceaſing torments.

[a] [AI] NOTE XXXIII.

ARGUMENT

OF THE

SECOND ORATION

AGAINST

CATILINE.

CATILINE, extremely affected, by the ſeverity of Cicero's appeal to the ſenate, in the foregoing oration; roſe, and attempted, with great vehemence, to retort the bitter, and ſarcaſtic arguments of his adverſary. Catiline, deſcanted upon the circumſtances of his own birth, the merits of his anceſtors, and, would have proceeded to a defence of his perſonal conduct. But the ſound of his voice was ſtifled by the clamor of the ſenators; who, almoſt unanimouſly, ſaluted him with the appellations of traitor, rebel, and other equivalent terms. Deprived of the power of uttering a word in his own favor, driven from the ſenate-houſe, and, all his practices in the city rebated by the vigilance of Cicero's emiſſaries; Catiline withdrew directly from Rome, taking with him about three hundred choſen friends. Lentulus, Cethegus, and others of the Catilinian faction, continued within the city, to favor and abet the operations of thoſe who had retired.

THE day after Catiline's departure, Cicero aſſembled the people. He congratulated them, on the departure of Catiline: and, repeated his aſ-

ſurances,

ARGUMENT.

ſurances, that the people would hear of Catiline, at the head of the Tuſcan army, in three days at furtheſt. To juſtify himſelf for the meaſures he had compelled Catiline to perſue; Cicero here, repeats many of the arguments, uſed in the former oration. His ſecond, and ultimate view, now being to inflame the minds of the people againſt thoſe conſpirators who had not declared for Catiline, and remained in Rome; but were, nevertheleſs, waiting for the favorable moment of declaring. Upon theſe men Cicero intended his firſt operations ſhould take effect; and, the preſent artful, and inflammatory addreſs, is moſt admirably calculated to diſpoſe the minds of the people, to ſecond, and aſſiſt his deſigns.

SECOND

SECOND

ORATION

AGAINST

CATILINE.

ADDRESSED TO THE PEOPLE.

[a]AT laſt, O Romans! we have expelled, protruded, or by the force of oratory, compelled to retire; that monſter of audacity, that fomenter of treaſon, that peſt of his country, Lucius Catiline: in the inſtant he was proceeding to execute his threats, of burning the capital, and murdering the inhabitants. He diſappears; he is fled; eſcaped; burſt from the city. The power of plotting againſt theſe walls, which ſheltered and protected that monſter and prodigy of wickedneſs, no longer remains. The leader, the origin, of this rebellion, is irrecoverably ſubdued. His poniard is removed from our breaſts. Our courts, the forum, our public aſſemblies, and our domeſtic retreats; are now, delivered from the dread of aſſaſſination. When

[a] [A] NOTE I.

he retreated from Rome, [b] he forſook his poſt, he became then a declared enemy, ſtrengthened the juſtice of our cauſe, and, removed every impediment to the commencement of our operations. We have already, ſucceeded glorioufly for ourſelves, and made his infamy clear, beyond a doubt. We have plucked the maſk from the concealed traitor, and now he ſtands a paricide avowed. You will eaſily conceive, the regret with which he departed. Conſcious that the ſword was wreſted from his hands, unſtained with blood; your lives, which he ſought to enſnare, beyond his reach; and Rome, which he thought to have levelled to the ground; ſafe and unimpaired. Now, O Romans! he lies proſtrate at your feet; now he feels the blow; and ſees himſelf humbled to the duſt. Now with horrid glances, he ſurveys your city; and bewails in deep deſpair, your eſcape from the jaws of his deſtructive powers. While to me, my countrymen, Rome ſeems ſuddenly to have aſſumed a joyful aſpect, from the expulſion of this morbid, this peſtilential body.

And ſhould any man, indignant of his country's wrongs, acrimonioufly urge me, upon the ſubject of my preſent exultation and triumph. Should he aſſert that I had preferred the eſcape, to the puniſhment of Catiline, the charge might be laudable, patriotic, and, well-intended; though my anſwer would be ready. The fault was not in me; but the reſult of a conjunction of untimely incidents. Catiline, I confeſs, merited death, and every ſpecies of puniſhment, long before his expulſion. Natural

[b] NOTE II.

juſtice,

juſtice, founded upon ancient precedent, concurring alſo with the intereſt of the republic; demanded this at my hands. But, what do you imagine to be the number of thoſe who diſcredited my aſſertions? Of others, whoſe eaſy ſimplicity made them wonder, alas! How I could think as I did? Of ſome, who even defended the man? And, laſtly, of ſuch who from a real love of licentiouſneſs, were perſonally attached to him? Yet, could I have been once convinced, that cutting off this man would be the means of an entire removal of your danger, he ſhould have inſtantaneouſly ſuffered; even though my life, and reputation, had been involved in his deſtiny. But, I foreſaw the load of reproach I ſhould bring upon myſelf; if I put Catiline to death without proving the fact of his treaſons to the conviction of every order of the ſtate. Beſide, putting Catiline to death, would I knew, infallibly prevent the proſecution of his accomplices. I therefore concluded, that by placing the enemy full in your view, you would be enabled to enter upon a more immediate and diffuſive plan. But now, O Romans! I perceive him to be an enemy of ſome conſideration; and, I am grieved to reflect, that he left Rome with ſo few attendants. My deſire was, that he ſhould remove all his adherents. Tongillus, one of his earlieſt connexions, Publicius and Munatius, whoſe tavern debts could no way affect the ſtate; theſe accompanied his retreat. But, take notice of thoſe who remain. How deſperate in fortune; how prevailing in influence; and, how dignified by birth!

[C] NOTE III.

YET, when I conſider the ſtate of our forces, compoſed of the Gallic legions, of the army raiſed by Quintus Metellus, in Lombardy and the two marches of Ancona, together with thoſe legions raiſed by our own authority; I cannot avoid holding the power of the enemy in the greateſt contempt. A power did I ſay? a combination of old deſperadoes; of debauched peaſants; ruſticated bankrupts and profligates; and, of ſuch who make no ſcruple to deſert their bail, to prove their faithfulneſs to their general. The Roman troops would be diſgraced by an oppoſition to wretches, whom a pretor's writ would frighten from the field. But, the fluttering figures which incumber the forum, the idlers who infeſt our courts, and ſome loiterers, who may be found in the ſenate itſelf, I mean your eſſenced, ſhining, purple-robed fops; theſe, are the men, I wiſh he had detached from Rome. Remember however, that I now tell you, while theſe remain among you, the unarranged body of conſpirators within, is more to be feared, than their army without, drawn up in Battalia.

STILL greater is the danger, ſeeing that though they know I have penetrated all their ſecrets, they nevertheleſs, continue unmoved. The future lord of Apulia is now in my view. The ſuppoſed prince of Etruria, the intended lords of Lombardy and Ancona, I could recognize by name. Would you know who arrogates to himſelf the right of framing the order for firing your city, and maſſacring the inhabitants? I can deſcribe him in the cleareſt terms. To be brief; they are all conſcious that I am acquainted with the reſult of their laſt night's counſels; and,

and, that I expoſed their proceedings yeſterday, to the ſenate. Catiline's fears overcame him; he fled with precipitation. And wherefore do theſe men continue? If they preſume upon a perpetuation, or, even the ſhorteſt continuance of my former lenity; they are egregiouſly duped, by ſuch an unfounded preſumption.

My deſigns, which were to lay open this conſpiracy and its abettors, in the moſt extenſive point of view, are now accompliſhed; unleſs you ſuppoſe men can ſhare in the private, yet remain uncontaminated with the public vices, of an aſſociate. But, this is not the ſeaſon of lenity and nice diſcrimination; the preſent moment, demands ſeverity in the extreme. One indulgence nevertheleſs, I am ready to grant. Let them depart, let them retire unmoleſted; leſt their companions ſhould pine with regret at their abſence. I will yield ſtill more; I will even point out to them the tract of their general. If they perſue their journey on the Aurelian way, with alacrity and diſpatch; before night they may effect a junction. What joy muſt ariſe to the republic, from beholding them on the road! Beholding the city purged of ſuch a foul, ſuch a putrid body! By Heaven! Rome ſeems to have derived new health and beauty, from the diſcharge of a ſingle piece of corruption; of a Catiline. Is there indeed, a vice, that infamy can deviſe, or the human mind ſuggeſt, unperpetrated by this monſter? Shew me a poiſoner, a gladiator, thief, aſſaſſin, or paricide; ſhew me a perjurer, cheat, ſtew-hunter, ſquanderer, adulterer, or common whore; among corruptors, or the moſt corrupt and abandoned of all Italy; ſhew me one among them all, with whom

whom Catiline has not aſſociated, not lived in familiarity? What murder has been committed during late years, wherein he was not a partaker of the guilt? What rape, wherein Catiline was not the principal actor? Did ever man poſſeſs ſuch talents to enſnare; or, burn with ſuch luſt for [d]unnatural debaucheries, as himſelf? Who can determine, whether his luſt for enjoying or ſuffering, in ſuch unnatural intercourſes, be the moſt predominant? Some, he allured by promiſing them a choice of their pathic; others, were enticed by aſſurances of a ſpeedy removal of their parents. Nor, was he leſs ready to promote their paſſions, than deſirous to aſſiſt in gratifying them. Thus, from the city and the provinces together, he formed an aſſociation of the moſt profligate and infamous men, this empire ever produced. For he ranſacked, not only Rome, but every corner of Italy, for men of deſperate and ruined fortunes; and ſucceeded accordingly. To ſhew you beſide, how extenſive his genius is, in managing and uniting the moſt oppoſite characters to one intereſt; there exiſts not a gladiator of uncommon boldneſs and temerity, who does not boaſt of his connexions with Catiline. Search through the theatres, and, ſhould you find any players of uncommonly-vicious and depraved character; they will rehearſe the joys of that convivial intercourſe, which ſubſiſts between Catiline and themſelves. Yet, this prince of raviſhers and ſcoundrels, while proſtituting the fruits of [e]induſtry, and many real virtues, in the moſt infamous debaucheries; is by his compeers celebrated, as a prodigy of patience and endurance, under

[d] [D] NOTE IV.

[e] [E] NOTE V.

the

the moſt rigorous circumſtances of cold, hunger, thirſt, and watchfulneſs.

For all theſe reaſons, would to Heaven he had been followed by theſe aſſociates! Had Rome been diſcharged of this flagitious band of deſperadoes when diſburthened of their leader; thrice happy, and bleſſed had been the republic, and glorious, the memory of my Conſulate. But, vice is now perſued by mankind without any bound, or curb of reſtraint; without preſerving even the appearance of human extraction. Rapine, murder, and incendiary, are the mere amuſements of our cotemporaries. Having conſumed their patrimony, and diſſipated in profligacy, their fortunes; money has long been a grievous defect in their affairs. At length credit, which ſupplied that defect, has alſo failed them. And, to curſe them the more effectually, the ſame craving powers of enjoyment, which poſſeſſed them in the plenitude of fortune, ſtill continue; though all lawful means of gratification are totally extinct. If wine, gaming, and women, were the only vices they perſued; theſe, though highly pernicious to ſociety, might be borne. But, what ſtate can ſuffer, that the enervate and debauched, ſhould trample upon the brave and virtuous; that fools, ſhould govern the wiſe and inſtructed; drunkenneſs, inſult ſobriety and temperance; or, midnight revellers, diſturb and abuſe the regular, and the well-governed citizen? What government can permit, that fellows lolling upon couches; revelling with common ſtrumpets; ſtaggering under a ſurcharge of wine; [f]fooliſhly ſtaring with garlands; ſhining

[f] [F] NOTE VI.

with

with ointments; and debilitate with whoring; ſhould ſtammer out their orders for the murder of our worthieſt citizens, and the deſtruction of the city? Fate however, has vengeance in reſerve for them; and will I truſt, ſoon render them the long-due penalties of their impiety, wickedneſs, infamy, and libertiniſm.

If my Conſulate cannot eradicate theſe crimes, I ſhall, at leaſt, drive out the conſpirators. The republic will then, I am convinced, not only ſtand this ſhock, but perpetuate the duration of our empire through many ages. The earth cannot produce a national power, Rome has reaſon to fear; nor, to ſay the truth, is there a potentate capable of engaging with her forces. By the fortitude and virtue [s]of one man, all without in every region of the empire both by ſea and land, is huſhed, is peace. At home indeed, within the bowels of the empire, an unnatural war is formed. Treachery, and treaſon, reſide within the walls of Rome; and danger lurks in every corner of our city. The enemy have a firm, a powerful poſt in Rome. Luxury, infamy, and the rage of deſperation, are there our opponents. But I, my Countrymen, ſtand forth your leader; and defy the utmoſt effort of the rebellious crew. Where I can uſe lenient remedies, my deſire ſhall be to apply them; but, in all events, I will cure this diſorder of the ſtate. When the tumor renders amputation neceſſary, I ſhall without ſcruple, ſever the member; for, I am determined, that not one dangerous wound, a wound capable of feſtering, ſhall remain. Therefore, you, the abettors

[s] [G] NOTE VII.

of

of Catiline, have now public notice, to fly from the city, or to obſerve the utmoſt circumſpection in your conduct. For, ſhould you remain, and but one ſymptom of your former deſigns appear; an inſtantaneous, and a rigorous puniſhment, ſhall attend you.

REPORTS, my Countrymen, have been propagated, that I forced Catiline into baniſhment. Thoſe, who are the authors of ſuch an aſſertion, could the ſame ſentence be executed upon them with the breath I am ſpeaking, ſhould ſuffer that ſentence in the very inſtant. Catiline, you hear, poſſeſſes a nature ſo timid and gentle; that the mere voice of the Conſul, aſtoniſhed and affrighted him. The moment the word baniſhment was pronounced, Catiline, the humble, the obedient Catiline, ſubmitted and retired; as if interdicted by the formal, legiſlative act, of the Conſul. Away with ſuch mockery. Did I not yeſterday, immediately after an attempt upon my life, convoke the ſenate in the temple of Jupiter Stator? Did I not inſtantly lay the particulars before the Conſcript Fathers aſſembled? Tell me, when Catiline entered the temple, what one ſenator ſpoke to him; what ſingle member of the ſenate addreſſed himſelf to Catiline? Who, that did not behold him with the contempt juſtly due to the moſt abandoned citizen; or rather, with the horror excited by the view of a moſt deadly enemy? The principal ſenators, you well know, O Romans! retired as he approached to his ſeat; and left him ſurrounded by the empty benches.

IN this place I, Marcus Tullius, that terrible Conſul, whoſe very breath is baniſhment itſelf, aſked Catiline:

" Whether, or not, he was preſent at a midnight conven-
" tion in the houſe of Marcus Lecca?" Fronted, as he is; ſuch glaring conviction ſuppreſſed his power of utterance. I then expoſed the whole proceedings of the convention. What had been agitated; where the conſpirators aſſembled; what was to be the ſubject of their next debate; and finally, diſplayed the whole ſyſtem of their intended conſpiracy. When he faultered, and ſtood abaſhed, I interrogated him; why in a caſe of ſuch long preparation, he ſhould be afraid to proceed? For, I knew, that the arms, axes, [h]faſces, muſical inſtruments, and military implements of every kind; not forgetting that palladium of the enterprize, fabricated in his own houſe, " the ſilver
" eagle;" were all, long before, diſpatched to the camp.

SHALL I then be charged with forcing Catiline into exile, who, had evidently commenced hoſtilities againſt his country? I muſt have been bereft of reaſon to ſuppoſe that Manlius, an obſcure centurion, who had fixed his camp in Etruria, meant to declare war, in his own name, againſt the Roman people. And yet, that Catiline ſhould aſſume the command of the army, was deemed impoſſible: or, that inſtead of retiring to Marſeilles, the place aſſigned for his retreat, he ſhould in any wiſe viſit the camp. Alas! miſerable ſtate of a Conſul, as wretched in preſerving, as in governing the republic! Yet ſuch, O Cicero! is thy miſerable ſituation, that ſhould Catiline, now impeded, hemmed in, by thy prudent preventions, thy indefatigable labors, and the dangers thou haſt encountered; ſhould he,

[h] NOTE VIII.

weak

weak and debilitate, as he now is, be ſtruck with ſudden fear, or remorſe, change his opinions, deſert his followers, and lay aſide his deſigns of war; ſhould he, from a courſe of military and rebellious preparations, fly from the camp, and really ſeek his ſafety in exile: then will, perhaps, the ſpirit of malevolence ſuggeſt, that Catiline, far from having been foiled in an audacious daring attempt; far from having been confounded, terrified, and obſtructed by thy vigilance and care, or deſpoiled of his hopes by thee; on the contrary, that uncondemned and innocent, the poor, harmleſs Catiline was forced into exile, by the means of an arbitrary Conſul. In ſuch a caſe, ſome may be found ſo abandoned to aſſert, that his baniſhment was not the conſequence of criminality, but misfortune. And, my intentions ſo ſhamefully perverted; to procure for me the appellation of a vindictive tyrant, rather than the character of an honeſt and careful magiſtrate.

I AM, however, ſatisfied, my Countrymen, that this ſtorm, engendered by envy and falſhood, ſhould deſcend upon my devoted head; provided you eſcape the danger attending ſuch a horrid and unnatural war. Let the utmoſt efforts of faction prevail; let faction ſay, I drove him into exile; but let him however, firſt go into exile. That is no part of his deſign, I will venture to aſſert. Not, my Friends, that I ſhall ever wiſh, for ſiniſter, or perſonal cauſes, you ſhould hear, that Catiline is leading an hoſtile exultant army, againſt the republic. Nevertheleſs, I foretel, that in the courſe of three days, the din of his march will clang in your ears.

My fears will then have another ſource. I ſhall no longer dread, the clamor of envy for baniſhing him; ſevereſt reproaches for permitting him to retire, will then aſſail me. But, ſhould any man appear ſo baſe to call a voluntary retreat, baniſhment; what reproach muſt have enſued if I had taken the life of Catiline? Still I am clear, that the very perſons, who would inſinuate Catiline's retreat to be toward Marſeilles; act more from fear, than opinion. Not one of theſe tender, feeling men, ſincerely wiſh him there; they had much rather ſee him with Manlius, than incorporated with the Marſeillians. For he, himſelf, I am confident, though he had never entertained an idea of the preſent buſineſs; would have preferred death in a treaſonable cauſe, to a life of exile. However, hitherto he has been obſtructed in nothing, has acted entirely from his own will and uncontrouled ſuggeſtions, departed in ſafety, and ſeen every thing proceed as he could hope; except that my death did not precede his departure. Let us therefore, rather wiſh that he may be gone, than complain of his being gone, into exile.

But, wherefore do I miſpend your time, in deſcanting upon an enemy, who, as the walls of Rome are between us, I no longer fear? Should I not rather expoſe to your view, thoſe ſubtle diſſemblers, who ſtill remain among us; who are now, rankling in our boſom? Not, that revenge or vindictiveneſs, will ever ſtimulate me to puniſh, where I can reclaim; nor, do I deſpair of ſucceſs, even in the preſent caſe, would thoſe men but liſten to my coun-

[1] NOTE IX.

ſels.

ſels. Who theſe men are, my Countrymen, and of whom alſo their forces are compoſed, I ſhall likewiſe deſcribe, according to their ſeveral ranks and ſpecies. I ſhall then [k]propoſe the remedy applicable to each particular ſpecie; and, ſee, if my oratorial art can apply that remedy with ſucceſs.

THE firſt ſpecies I ſhall preſent to your view, is compoſed of men who hold great eſtates under great incumbrances; but, refuſe to ſubtract from the firſt, to accommodate the latter. Magnificent in their appearance, courteous in their manners, and of reputed ſubſtance; a veil is thrown over their deſigns and intentions, which are indeed, moſt ſhameful. Wretches! for ſo you may be juſtly called, poſſeſſing lands, edifices, and a profuſion of rich plate; enjoying the luxury of a numerous retinue, the choiceſt of ornaments, and, an unbounded plenty of the rareſt gifts of life: yet, ſcrupling to ſuffer a juſt diminution of your apparent wealth, to increaſe the ſtock of your real credit! Of what are you in ſearch? Are you for war? Fools, to imagine, that amidſt a general wreck, your poſſeſſions will be diſcriminated and [l]ſanctuarized. An extinction of debts do you require? Thoſe who expect this from Catiline, are miſtaken. [m]An act of inſolvency, with equitable reſtrictions, I am ready to move for, myſelf; and, I may ſafely aſſert, that to be the only method, by which thoſe who have property, can ſecure their effects. Had this propoſition been ſooner adopted, your fortunes had now been unincumbered; the ſtate had found in you

[k] [K] NOTE X. [l] [L] NOTE XI.

[m] [M] NOTE XII.

better

better citizens; and you, yourſelves, had poſſeſſed more ample revenues. But, theſe men are no conſiderable objects of your apprehenſion. Theſe may be led into the right way, or, ſhould they perſevere in their perſuit; more is to be expected from their prayers and wiſhes, than to be dreaded from the proweſs of their arms.

The ſecond claſs, are a ſpecies of men immerſed in debts, yet aſpiring to power; and, eager to interfere with government. Conſcious that in peace, and an undiſturbed ſtate of government, they have neither pretenſions nor proſpect of promotion; they therefore, ſeek to embroil. They may however, eaſily foreſee, but I ſhall nevertheleſs admoniſh them, equally with the others, that they had better deſiſt from their enterprize. My vigilance, my alertneſs in providing againſt contingent dangers; the unanimity and zeal of the virtuous, their numbers, the greatneſs of our forces; and, above all the aid of the immortal Gods, which will, no doubt, aſſume the defence of this hitherto unconquered people, of this flouriſhing empire, and this fair city; are conſiderations which muſt ſhew them, the impoſſibility of ſucceeding. But, ſhould they ever attain the ſummit of their horrid expectations; ſhould they be able to accompliſh their treacherous, and infernal deſign, of laying the city in aſhes, and pouring forth the blood of a whole people; do they think, to reſuſcitate as Conſuls, Dictators, and Kings. Alas! are they ſo blind not to ſee, that ſome [n]wretched fellow, ſome dar-

[n] [N] NOTE XIII.

ing

ing gladiator, would previouſly wreſt the ſovreignty from their hands?

THE third, is a race of veteran fellows; advanced in years, but of a conſtitution robuſt, and hardened by ſervice. Of this laſt ſpecies, is Manlius; now ſuperſeded in his command by Catiline. They are part of the colony formed by Sylla, at Feſula. A colony, which I confeſs, has produced many brave and good men. But, this detachment is formed of *ſuch coloniſts as having become rich unexpectedly and ſuddenly; ſquandered their fortunes prodigally. Elate by ſucceſs, and ignorant of the management of riches, they raiſed palaces like princes; indulged on their eſtates; lolled in their chairs; and formed an eſtabliſhment of ſervants, equal to that of a king. Add to theſe, ſuch profuſeneſs in their banquets; ſuch ſumptuouſneſs in their furniture; no man can feel ſurprize at their ſo ſoon becoming bankrupts, and overwhelmed with debt; and that then, ſome other Sylla ſhould be brought to light, to reſtore them to affluence. This claſs may perhaps include, a few poor, ſimple, beggarly ruſtics; whom theſe veterans have ſeduced from their duty, by the lure of plunder and rapine. But my Countrymen, I place them all under the ſame denomination. Let me, however, admoniſh and warn them, to dream no more of proſcriptions and dictatorſhips. The republic has been ſo cauterized by the ſeverities of former uſurpations; that now, not only men, but the very beaſts of the field, would reſiſt againſt a repetition of ſuch dire evils.

*[O] NOTE XIV.

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THE fourth, are a ſet of riotous, undiſciplined fellows, of various characters, and from various places: men, who have long been low in the world; and, never can emerge. Sloth, miſmanagement, and prodigality, brought on a train of debts and incumbrances, which now preſſes them to the earth. Unable longer to endure ſuch a ſucceſſion of writs, perſuits at law, and executions; they have fled from the city, the provinces, and from various lurking holes, to the camp. Theſe, I conſider, rather as artful cheats, than deſperate ſoldiers; as men who, if they cannot ſuſtain themſelves, may as well fall: but, with my conſent, in ſuch a manner, that their fall ſhould be ſcarcely felt, either by the city or their own vicinage. How aſtoniſhing, that men becauſe they cannot ſubſiſt honeſtly, ſhould wiſh to periſh infamouſly; and, ſtill more ſo, that they ſhould feel leſs reluctance to fall in multitudes than to die ſeparately?

THE fifth claſs, is an ebullition of every evil; an aſſemblage of paricides, aſſaſſins, and the moſt infernal wretches. Theſe, I ſhall never wiſh to recal from the camp of Catiline; nor, could my utmoſt endeavours, ſeparate ſuch firmly-united friends. Let them therefore, periſh together, in the perſuit of infamy. No priſon is ſufficiently capacious to contain their number.

THE laſt diviſion of this combination, contains not only the laſt, in order of arrangement; but the worſt in every ſpecies of vice, incidental to nature. Theſe are, the beloved, the choſen objects of his embraces; the vehicles of his pleaſures. Wretches, with braided locks, and ſhining faces;

faces; [p]bearded, and beardleſs, of all ages; clad in looſe, flowing robes. The utmoſt ſtretch of whoſe induſtry and excellence, conſiſts in giving ſpirit to [q] a midnight debauch.

THIS claſs, comprehends gameſters, whoremongers, and lewd perſons, of every kind. And theſe youths, gentle and lovely in their external appearance, are practiſed, not only in the arts of acting and ſuffering exquiſitely in the ſchool of pleaſure, of leading up the dance with grace, and, of ſinging with taſte and delicacy; they can beſide, ſtab with dexterity, and ſcatter poiſon with never-failing certainty. They, my friends, muſt periſh with Catiline; or, be aſſured, the republic will teem with a riſing generation of Catilines. But, what are they attempting? They do not ſurely, propoſe to bring their whores into the camp, yet how will they endure theſe winter nights alone? What mode have they diſcovered of indurating their conſtitutions, to ſuſtain the rigid froſts and deep-lying ſnow of the inclement Appenines; unleſs they apprehend dancing naked at their libidinous meetings, has ſteeled their bodies for that purpoſe? A tremendous war, indeed! where the prime troops of the enemy are compoſed of [r] abandoned whores.

OPPOSE, my countrymen, to this formidable array of Catiline; the troops, the embodied forces of Rome. Againſt, one miſerable, decayed gladiator; ſet your Conſuls and your heroes. By way of contraſt to the ſhattered, debilitated power of the enemy, draw out the very eſſence

[p] NOTE XV. [q] NOTE XVI. [r] NOTE XVII.

of your ſtrength the flower of all Italy. Should I proceed in the parallel, I muſt be under the neceſſity of degrading our colonial and municipal cities, by a compariſon with the dens and haunts of ruſtic boors. But, I am no more warranted in this, than in comparing your forces, your fortifications, and the renown of your arms; with the poverty and inſufficiency, of that daring rebel. Omitting, however, the actual, the ſubſtantial powers and advantages, in which we abound, and they are totally deficient; as, a noble ſenate, a body of knights, a great people, the fineſt city of the univerſe, immenſe treaſures, and an incredible revenue; all Italy for our patrimony, kingdoms for provinces, and emperors for our tributaries. Should we, I ſay, omit theſe poſitive advantages, and deign to try the merits of the contending parties upon the ground of moral rectitude: Here we ſhould perceive, how very low indeed, they ſtand in the compariſon.

On this ſide, conſcious virtue; the other, barefaced ſhame; here, modeſty; there, rank luſt. We may indeed, ſay, that this is an oppoſition, of honor to deceit, of piety to irreligion, firmneſs to fury; of honeſty to turpitude, ſobriety to libidinouſneſs: in a word, of juſtice, temperance, fortitude, prudence, and every virtue; to falſhood, intemperance, puſilanimity, temerity, and every ſpecies of vice. To ſum up the whole; plenty is here, waging war with beggary, judgment with abſurdity, reaſon with madneſs, and, well-founded hope, with every circumſtance of deſperation. Could men poſſibly prove deficient in their duty, upon ſuch an occaſion, and in ſuch a cauſe, as ours; the Gods themſelves, would ſeize the avenging

avenging ſword, to give ſuch eminent virtues, the victory over a collection of baſe and deteſtable vices.

THIS, O Romans! being the true ſtate of yourſelves, and the enemy; do you, as I have heretofore counſelled, cautiouſly and vigilantly attend, to your domeſtic ſafety. I have well deliberated, and taken ample precautions, for preſerving the city. Our coloniſts, and our municipal citizens, have from me received intelligence of Catiline's nocturnal proceedings; and will be able, with very little difficulty, to defend their cities, and the territories dependent upon them. The gladiators, on whoſe courage and aſſiſtance Catiline ſo much depends, many of whom nevertheleſs, deſerve a preference to ſome patricians I could name; the gladiators however, I have taken care to confine within due bounds. Foreſeeing theſe approaching events, Quintus Metellus received orders from me, to diſtribute his forces in Lombardy and the marches of Ancona: and he, ſhall either cruſh the wretch, or render all his ſchemes abortive. Such has been my conduct hitherto. For further inſtruction, neceſſary to perfect this great work, we muſt refer to the ſenate, now aſſembling.

THOSE who remain in the city, to avail themſelves of contingent incidents, and have, equally for their object your, and the city's deſtruction; theſe, though the worſt of enemies, are nevertheleſs, fellow-members of the ſame city with ourſelves; and, I ſhall therefore, now, and again, repeat my admonitions to them. But, if my lenity toward them hitherto, has appeared too great; that was meant to continue no longer than till the conſpiracy,

then in obſcurity, ſhould be openly avowed. Let them now remember, what I never can forget: THAT I AM A ROMAN, THE CONSUL ALSO OF ROME; AND, THAT I AM DETERMINED EITHER TO LIVE WITH MY COUNTRYMEN, OR, TO DIE FOR THEM.

YOUR gates will open for the departure of the Catilinian miſcreants; and a ſafeguard out, ſhall be ſecured to them. They are therefore, at liberty to go, or, to continue here; as they themſelves ſhall determine. But, the firſt among them, who appears to move upon this buſineſs, who makes the ſlighteſt attempt, or diſcovers the ſmalleſt tendency, to diſturb the peace; I ſhall conſider as a traitor. And, he ſhall ſoon both know, and feel:—that the Conſuls of Rome are vigilant, and, our magiſtrates, ſingularly active. That, Rome itſelf, contains, a brave ſenate, keen inſtruments of juſtice, and, a dungeon for villains; where our forefathers have ſo often laid the ſcene of retribution, for public and pernicious villainy.

WITH ſuch diſcretion, my friends, will all this be conducted, that the moſt important circumſtances, ſhall be imperceptibly agitated; and the moſt dangerous criſis ſuſtained, without the leaſt tumult or diſturbance. A civil war, fraught with more danger and horror, than memory has a precedent for, now raging in the bowels of our country, ſhall be ſuppreſſed and extinguiſhed; all, under my ſole direction, by my Conſular authority, and [S] without aſſuming, even the appearance of war. Yes, Romans,

[S] NOTE XVIII.

with

with ſuch a gentle, ſuch a maſterly hand, will I touch this buſineſs; that, not a culprit within this city, however flagitious, ſhall, in any evitable caſe, ſuffer for his crimes. But, if a daring manifeſtation of rebellion; if danger, ſuſpending, as by a thread over my country, ſhould warp me, from that courſe of lenity I have preſcribed to myſelf: I ſhall, even then, be ſo circumſpect in diſcriminating the innocent, ſo limited in puniſhing the guilty; as to excite your wonder and aſtoniſhment, at my moderation, conſidering in what a treacherous and fatal war, we are engaged.

In all theſe promiſes and declarations, O Romans! I have neither preſumed upon my own merit, nor relied upon the inſtability of human counſels. Repeated, and certain [t] tokens, from the immortal Gods, have warranted me to offer you theſe aſſurances. From that infallible authority alone, could I have dared to form ſuch a confidential opinion, or ſuggeſt ſuch flattering hopes. But, the Gods, I ſay, are with us; and protecting us, not at a diſtance, as in former wars againſt a foreign and external enemy. They are now preſent in Rome, defending theſe their ſacred temples, this their favored, conſecrated city; by the immediate interpoſition of their own inſuperable, their reſiſtleſs power.

To the Gods then, my beloved countrymen! now look up with veneration. With fervent prayer implore them, that, as they have been pleaſed to render this city emi-

[t] NOTE XIX.

nently

nently beautiful, flouriſhing, and powerful, and, to give her the victory over all her enemies, by ſea and land; that they will be pleaſed, in the preſent extremity, to defend her alſo, againſt this impious attack of her abandoned and unnatural children.

ARGUMENT

ARGUMENT

OF THE

THIRD ORATION

AGAINST

CATILINE.

LENTULUS, Cethegus, and other ſenators, agents for Catiline at Rome; had concerted a plan of operations, with the Gauliſh ambaſſadors, then reſident in the city. The vigilance of Cicero's ſpies, informed him early of this connexion; and alſo, of the intended departure of the ambaſſadors for Gaul, charged with letters to their own government. Thoſe letters, explained the nature of the connexion, and the particulars of many future deſigns. The proofs were irrefragable. The conſpirators had neglected common precautions. Their own writing and characters, were uſed in the moſt legible, and conſpicuous manner. But, if a doubt of the truth had been wanting, the confeſſion of the ambaſſadors, would have ſupplied the defect. The proofs however appeared ſo ſatisfactorily to the ſenate, and the people; that Lentulus, Cethegus, and all the Romans concerned in the tranſaction, were immediately ordered into cuſtody. A thankſgiving was ſoon after decreed in honor of Cicero: "BECAUSE "HE HAD DELIVERED THE CITY FROM FLAMES; THE CITIZENS FROM "SLAUGHTER; AND ALL ITALY FROM WAR."

The

ARGUMENT.

The pretended deſign, of the preſent oration, is an exhortation to the people, to commemorate this feſtival of thankſgiving, with their wives and children; in a manner the moſt ſolemn in honor of the Gods, and the moſt reſpectful toward Cicero. But his real intention appears evidently, was to prepare the minds of the people for the cataſtrophe of the conſpirators; an event that ſoon followed.

Cicero delivered this oration on the third day of december, in the year ſix hundred and ninety, U. C.

THIRD

THIRD

ORATION

AGAINST

CATILINE.

ADDRESSED TO THE PEOPLE.

[a]BY an extraordinary effort of the unbounded love of the immortal Gods, and by the means of my vigilance, prudence, and bravery: Behold, O Romans! this great republic, your lives, your property, your deareſt connexions, and, the fortunes of us all; together with this favored, this fair city, the auguſt capital of ſo great an empire, ſo lately ſurrounded by flames and the power of the ſword, the jaws of fate impending to devour them; Behold them all, in this joyful day, thus happily reſtored, thus meritoriouſly preſerved!

[b]And, if the days of our deliverance deſerve a commemoration, equally illuſtrious and joyful with the days of

[a] [A] NOTE I. [b] [B] NOTE II.

our birth, theſe being but the entrance into a condition of uncertainty, while thoſe declare a poſitive and certain cauſe of joy; if inſenſibility merely, be the companion of our birth, but, a conſciouſneſs of pleaſure the attendant on our deliverance; and, if [c]gratitude and a deſire of honoring virtue, urged us to exalt the name of Romulus to an equality with the Gods, becauſe he founded a city: ſurely, the man who preſerved that city in a ſtate of accumulated greatneſs, is worthy to be held by you and your poſterity, in ſome degree of honor, and pre-eminence. Theſe, my Countrymen, are the hands which extinguiſhed the flames, that menaced and ſurrounded your temples, and the ſtation of your Gods; that ſtopped them, juſt ſeizing your domes, your city, and it's utmoſt boundaries, on every ſide. Theſe are the hands which blunted the point of the ſwords thruſt at the heart of your republic; theſe, the hands that ſnatched the weapons, in the very act of aſſailing your throats. And however this ſubject may have been opened, explained, and proved before the ſenate; ſtill, I feel myſelf bound to re-produce the circumſtances to your view. For I would have you, my Countrymen, receive every ſpecies of information you neceſſarily and anxiouſly expect; that you may be enabled to form a competent judgment of the whole tranſaction.

IMMEDIATELY upon the departure of Catiline, a few days ſince from the city, leaving behind him the confederates of his villainy, his moſt daring aſſociates in the conſpiracy; my care and attention to your ſafety, O Ro-

[c] NOTE III.

mans!

mans! was redoubled, becauſe of the numerous ſnares then laid for your deſtruction. When I forced Catiline from Rome; Catiline, whoſe name I once feared to mention, but now fear from no other conſideration than his having been permitted to go alive from hence, I then expected one of theſe deſireable conſequences: that, either his aſſociates would follow him, or, loſe their weight and union, by his abſence. However, as ſoon as I perceived that the moſt daring and inflammatory abettors of his treaſons remained in Rome, I placed the moſt vigilant ſpies upon them. Perſons, who pried minutely into all their actions and intentions, and watched their motions with the deepeſt attention.

THE occaſion however, required my ſtrongeſt endeavors, becauſe, on account of the magnitude of their crimes, which was indeed, almoſt incredible; my ſentiments had not made that impreſſion upon your minds I had expected. I was therefore ſtill more deſirous to place the conſpiracy ſo publicly before your view, that you might unite in every meaſure to be taken for your own ſecurity. But, when I diſcovered, that attempts to ſeduce the ambaſſadors of the Allobroges, [d] to excite a Tranſalpine war and raiſe an inſurrection in Gaul, had been made by Publius Lentulus; that theſe ambaſſadors were to go into Gaul, carrying with them letters and inſtructions, to be delivered to Catiline on the road; and, that Vulturcius was to accompany them, and convey thoſe letters to Catiline: I then thought a fair occaſion preſented itſelf, to open this

[d] [D] NOTE IV.

buſineſs, which, on account of the extreme difficulty, I always deprecated the immortal Gods, might not only paſs through my hands, but receive alſo, the ampleſt concurrence of the ſenate.

THUS reſolving, I yeſterday convened Lucius Flaccus, and Caius Pomtinus, the pretors; men of true ſpirit, and devoted to the intereſts of their country. To them, I laid open every circumſtance that had paſſed; and, ſhewed them the diſpoſitions, I had in conſequence made. Agreeably to thoſe generous and noble principles which characterize themſelves, they, without the leaſt heſitation, or delay, put the buſineſs into a train of action. Toward evening, they privately repaired to the [E]Milvan bridge; then ſeperating, one to each ſide of the river, diſtributed their reſpective parties in the adjacent neighborhood, commanding the bridge on both ſides. Theſe parties attired many other brave men, without creating the leaſt alarm. To them were added, a number of youths armed with ſwords, ſelected by me from the town of Reate, whoſe aſſiſtance I had before frequently experienced, on occaſions of the public ſervice. Theſe diſpoſitions being made, about four in the morning the ambaſſadors, attended with a numerous retinue, and Vulturcius of their party, entered upon the bridge; when the attack from our men, began.

IN an inſtant ſwords were drawn on both ſides; but, the deſign of the attack, was known to the pretors only.

[E] NOTE V.

At

At their arrival, the engagement ceaſed. The letters found upon the ambaſſadors, and in their train, were delivered unopened to the pretors; and, the whole correſpondence brought before me, about the time of day-breaking. Cimber Gabinius, the principal deſigner of all their horrible machinations, without a ſuſpicion of the cauſe, was ſummoned before me. Preſently, Lucius Statilius, and ſoon after, Cethegus appeared. But Lentulus did not arrive for a conſiderable time, having, as I ſuppoſe, ſat up later than uſual the night before, to complete his diſpatches.

MANY of the moſt conſiderable members of the republic being informed of theſe circumſtances, immediately attended. They conceived I ſhould act more judiciouſly in opening the letters myſelf, than in referring the buſineſs to the ſenate. Becauſe, if nothing important ſhould be diſcovered in thoſe letters, I might be deemed raſh and imprudent in communicating a falſe alarm to the city. To their opinion I could not aſſent; becauſe, as the danger pertained wholly to the public, I thought the diſcuſſion ought, in the firſt inſtance, to be in public council. For I, my Countrymen, judged, that if my intelligence was falſe and nothing treaſonable ſhould appear; ſtill, that in a caſe of ſuch importance to the public, I could have nothing to fear from your diſpleaſure on account of exceſſive diligence and extreme caution. I therefore immediately, as you muſt all remember, brought together a full ſenate. In conſequence of intimation from the Allobroges, I ſent that active and brave pretor, Caius Sulpicius, to ſecure any arms that might be lodged in Cethegus' houſe;

houſe; from whence accordingly, a great number of ſwords and daggers were removed.

THE ſenate being aſſembled, [f] I ordered Vulturcius before them; but unconfronted by the Gauls. By the ſenate's command, I pledged the public faith to him, for his ſafety; and then exhorted him to ſpeak to the extent of his knowledge, without dread, or apprehenſion of harm. As ſoon as the remiſſion of his fears, would permit him to ſpeak, he proceeded. He then told the ſenate, he was ſent with inſtructions and letters from Lentulus to Catiline, directing Catiline to arm the ſlaves, and proceed immediately with his army to Rome; where, by the time he ſhould have fired the city in the ſeveral quarters, according to their previous diviſions and arrangements, and, have begun the general ſlaughter; he, Lentulus, would be in waiting, to compleat the maſſacre of ſuch as by flight might eſcape; and afterwards ready to act in conjunction with his friends in Rome.

THE Gauliſh ambaſſadors being then introduced, declared, that oaths had been tendered to them by Lentulus, Cethegus, and Statilius; and letters delivered to them from thoſe Romans, to their own people, the Gauls. That they, the ambaſſadors, were directed by Lentulus, Cethegus, and Statilius, and by Lucius Caſſius alſo, to ſend ſome cavalry into Italy, with all poſſible expedition; in reſpect of infantry, they were not deficient. Lentulus, they ſaid, had alſo aſſured them of his being the third

[f] NOTE VI.

Cornelius,

Cornelius, who muſt neceſſarily arrive at the government, and command of Rome; and [g]confirmed his aſſurances, by the Sibyline predictions, and the ſoothſayers' anſwers. Cinna, and Sylla, of the houſe of Cornelius, he ſaid, had preceded him; and this year, being the tenth from abſolving the [h]veſtal virgins, and the twentieth from the [i]burning of the capitol; was the year, the preciſe period, ſo fatally ordained for the deſtruction of Rome, and the extinction of the Roman empire. But, added the Gauls, a diſpute aroſe between Cethegus, and others of the conſpirators. Lentulus, and thoſe attached to him, being of opinion, that the general ſlaughter and demolition ſhould take place at the [k]Saturnalia. But Cethegus thought that too diſtant a period.

After theſe declarations, my Countrymen, we ordered the letters already mentioned, to be reſpectively produced. The firſt letter bore the ſeal of Cethegus; which, upon being ſhewn to him, he recognized for his own. Then, [l]cutting the thread, we found written with Cethegus' hand: "That the ſenate and people of the Allobroges might be "aſſured, he was ready to execute the meaſures confirm-"ed to their legates; and, beſeeching the Allobroges, to "act in conformity to the propoſitions thoſe legates would "lay before them." Cethegus, who had juſt before ſpoke very confidentially to the examination concerning daggers and ſwords in great quantities being found in his cuſtody,

[g] [G] NOTE VII.
[h] [H] NOTE VIII.
[i] [I] NOTE IX.
[k] [K] NOTE X.
[l] [L] NOTE XI.

anſwering,

anſwering, " That he had ever been very choice in reſpect " of his blades;" was now, upon the exhibition of this letter, covered with confuſion; and ſtruck with inſtantaneous debility, from the force of ſudden and home-felt conviction.

STATILIUS, being next introduced, confeſſed his ſeal, and acknowledged his hand-writing. The letters however, were read; and, they proved to be of the ſame purport with the foregoing.

LENTULUS, was then brought before the ſenate. I ſhewed him his letters; and aſked him if he recognized the ſeal. " You cannot deny the impreſſion," ſaid I, " the image " of that exalted man, your illuſtrious grandfather, is too " well known; himſelf known alſo, for a man who lived " but for his country, and the good of his fellow-citizens. " Such an example alone, ought to have reſtrained you, " from becoming the accomplice of ſo foul an act." Lentulus' letters alſo, to the ſenate and the people of the Allobroges; agreeing in ſubſtance with the others, were likewiſe read; and, permiſſion given him to ſay whatever his mind ſuggeſted for his defence. At firſt, he denied the whole tranſaction, but, after a ſhort pauſe, ſeeing every circumſtance thus expoſed and publiſhed; he aroſe, and demanded of the Gauls, " What buſineſs he could poſſibly " have with them, to require their coming to his houſe?" He demanded the ſame of Vulturcius. But was anſwered, by both, with the greateſt firmneſs and perſpicuity; they declaring, " By whoſe ſuggeſtions, and how often, they " had attended him." They then, in their turn, required of

of him: "Whether he had ever ſpoke to them concerning "the Sibyline predictions?" Abaſhed by ſuch a glaring proof of his guilt; he ſuddenly manifeſted the prevailing force of a wounded conſcience. For, though he might have eaſily confronted their particular aſſertions, by mere general negations; yet, to the aſtoniſhment of every perſon preſent, he inſtantaneouſly confeſſed, the whole charge. Thus, overpowered, that ingenuity and facility of ſpeech, which had ever before been invariably at his command; forſook him. And what is ſtill more extraordinary, the ſame audacity, which had hitherto triumphed over all oppoſition; now found in the force and public manifeſtation of his guilt, a momentum, that exceeded its utmoſt efforts to repel.

VULTURCIUS, in this inſtant, called for certain letters, which were given to him by Lentulus, to be delivered to Catiline; and deſired they might be opened. At this period, though immoderately agitated, Lentulus nevertheleſs acknowledged the hand and ſeals, to be his own. No ſuperſcription, or addreſs, was upon the letters, but theſe were the contents: "THE WRITER, YOU WILL KNOW FROM "THE BEARER. BE BOLD. REFLECT ON YOUR SITUATION; "AND PROCEED WITH CIRCUMSPECTION. COURT EVERY "AID; REJECT NOT THE MEANEST."

GABINIUS, was now produced. The firſt interrogations he anſwered with great inſolence; but in the end, acquieſced under every incident charged upon him by the Gauls. The correſpondence of the ſeals and letters, the agreement of the hand-writing, and, the confeſſion of the

parties themſelves, my Countrymen, proved their guilt, beyond a doubt: but, the conſcious eye, the complexion, countenance, and ſilence of the men; were equally convincing. Such alſo, was their horror and downcaſt looks, ſuch the ſtoln, guiltful glances they exchanged; that, they appeared more like wretches accuſing one another, than criminals convicted by the evidence of others.

EVERY charge, my Countrymen, being thus clearly and openly proved; I applied to the ſenate, deſiring to know their pleaſure, in a caſe of ſuch momentous concern to the ſtate. The principal, and leading members, were for ſevere and vigorous reſolutions; which opinion was moſt implicitly adopted by the ſenate. But, the decrees that followed thereupon, not being yet engroſſed; I intend, my Fellow-citizens, to give you the beſt account of theſe proceedings, that my memory will permit.

THE firſt was a decree of thanks, preſented to me in the ampleſt manner words could convey; declaring, that by the virtue of my counſels, and the prudential meaſures I had perſued, the republic was delivered from dangers which threatened your extermination. Juſt, and well-deſerved praiſes, were next beſtowed upon Lucius Flaccus, and Caius Pomtinus, the pretors; for the ſervices I experienced in their faithful and ſpirited execution of the orders iſſued by me. The warmeſt commendations alſo were, and with great propriety, laviſhed upon my colleague, [m]Caius Anto-

[m] [M] NOTE XII.

ny,

ny; for having removed from his own ſociety, as well as from the counſels of the republic, all the accomplices of this conſpiracy.

THE ſenate next reſolved that Publius Lentulus, after [n] an abdication of the pretorial dignity, ſhould be taken into cuſtody; and further determined, that Caius Cethegus, Lucius Statilius, and Publius Gabinius, who were all preſent; ſhould alſo, be committed priſoners. The ſame was ordered in reſpect of Lucius Caſſius, who had ſolicited for the appointment of burning the city. Marcus Ceparius, againſt whom was alledged a deſign of arming the peaſants of Apulia, ſtood likewiſe committed; as did Publius Furius, one of the coloniſts ſettled by Sylla, at Feſula. Quintus Chilo, who had been concerned with Furius, in ſoliciting the aid of the Allobroges, was now included in his fate; and Publius Umbrenus, a freed man, proved to be the firſt who introduced the Gauls to Gabinius; was the perſon who cloſed the liſt of commitments.

THE mildneſs of this procedure in the ſenate, my Countrymen, aroſe from hopes that the puniſhment of theſe nine perſons, would ſecure the republic againſt the great power and number of our internal enemies; and perhaps, re-diſpoſe the minds of thoſe enemies, to rectitude and virtue. The decree in my favor, followed next; wherein was ordained, that a thankſgiving to the immortal Gods, for their ſingular interpoſition, ſhould for my ſake, be offered. An honor, no man ever before experienced, with-

[n] [N] NOTE XIII.

out deſerting the robes of peace. The decree ran in theſe words: THAT I HAD DELIVERED THE CITY FROM FLAMES, THE CITIZENS FROM SLAUGHTER; AND, ALL ITALY FROM WAR. Many honorable teſtimonies have been accorded to others; but, upon a compariſon, you will find, that in thoſe caſes, the record has recited ſome particular ſervice to the republic; whereas the teſtimony borne in my caſe, recognizes CICERO, THE SAVIOR OF HIS COUNTRY.

IN the courſe of my proceedings, every previous arrangement, every gradatory rule of law, was obſerved. For, although Publius Lentulus was committed, as well from corroborating circumſtances, as upon his own confeſſion, and by the ſenate's decree, virtually deprived of the pretorial office, and of all his civil and political rights: yet, he was previouſly brought to a voluntary abdication of the prèturate. Caius Marius, made no ſcruple of putting the pretor Caius Glaucia to death, not only undeprived of the office, but even without the authority of a decree. Whereas, in our proceedings againſt Publius Lentulus, no man can alledge the leaſt violation of a religious or conſtitutional form. By his abdication of the pretorial dignity, every ſubſequent proceſs was directed againſt a private citizen.

Now, Romans, you hold in ſafe cuſtody, the abominable contrivers, and leaders of this wicked and alarming conſpiracy; and may, with great propriety, view the powers and expectations of Catiline, as blaſted and unavailing, by the removal of theſe infernal engines. Believe me, my Friends, when I chaced Catiline from Rome, I foreſaw

foreſaw clearly, that the monſter once removed, there was nothing to fear from the *dozing Lentulus; nothing to apprehend from the big-bellied Caſſius; nor from the raſh, the furious Cethegus. Catiline alone, of all their party, was the man to be juſtly dreaded; and he, to the period only, of his continuance within the walls of Rome.

CATILINE, poſſeſſed univerſal knowledge; and, was every where received. He had beſide, ſuch a fixed confidence and addreſs, as joined to his alluring manner of tempting and ſoliciting; never failed to perſuade. He was endowed with a quickneſs of apprehenſion, that enabled him to determine inſtantly and deciſively; while his tongue and his hands, were always ready to follow his determinations. For certain and important occaſions, he had choſen and proper men to act; though he was well aware of the difference between a command, and the execution of that command. For which reaſon, he traverſed every incident himſelf, examined all to the bottom, labored and watched inceſſantly; and, nature had moſt miraculouſly qualified him, to endure the extremes of hunger, thirſt, and cold.

CONSIDERING then, the keeneſs and preparation, the boldneſs, perſeverance, and vigilance of my antagoniſt; had I not forced him from his ſtation of Inſidiator within, to act the open and diſtant enemy without: yes, my Friends, as I think, ſo I will not heſitate to declare; in that caſe, the load of evils which muſt have bent your necks to the earth, never could have been removed.

*[O] NOTE XIV.

THIS,

THIS, was not the man to wait for the Saturnalia before he proceeded. He would not have ſuffered ſuch an interval to paſs, between the determining to act and the acting, ſo great a buſineſs as concerned the fate of a whole empire. You would not have been able to compaſs a detection of his letters; nor to prove his ſeals. You could not have gained ſuch information from him, as led to the developement of his ſchemes; and the conviction of his coadjutors. Yet, all theſe circumſtances, while his affairs were directed by others, have been effected. And that, in ſuch a manner, no felony of a private nature was ever more clearly expoſed, or, with more perſpicuity proved; than this great and general conſpiracy againſt the republic.

BUT, ſuppoſe Catiline had continued in Rome, and, I had ſtill continued to traverſe and obſtruct all his counſels and proceedings; take all, in the moſt favorable point of view, ſome blood muſt have been ſhed. While ſuch an enemy abode within your walls; you could not have been freed from his contrivances with ſo little diſturbance, ſo much eaſe, and ſuch profound ſilence, as in the preſent caſe.

MY conduct in theſe tranſactions muſt appear to you, to have been planned and conducted by the wiſdom and intimation of the immortal Gods. This is clearly evinced; for ſo juſt a diſpoſition of ſuch complicated events, could not ariſe from merely-human judgment. In ſhort, the divine aid and aſſiſtance upon every occaſion; has been viſible to mortal eyes. Need I mention, the fiery ſtreams

which

which nightly lighted up the weſt; the blazes that appeared in the heavens; the thunderſtrokes, [p]earthquakes, and other innumerable ſigns, which marked our Conſulate; having all, the appearance of prognoſtics of the immortal Gods. Yet, there is one circumſtance, above all others, which ought neither to be forgotten, nor poſtponed.

But ſurely, you muſt remember, that under the Conſulate of Cotta and Torquatus, many of the turrets of the capitol were ſhivered by a ſtroke from heaven, ſeveral images of the immortal Gods thrown down, the ſtatues of our great anceſtors, in many places demoliſhed, and the [q]law-tables of ſolid braſs, melted into liquid ſtreams; nor, did [r]the gilded ſtatue of the great Romulus, which you muſt remember in the capitol, repreſenting him when a child ſucking at the dugs of a wolf, eſcape in this extenſive blow. Then [s]the aruſpices, aſſembled from every part of Tuſcany pronounced, that maſſacre and conflagrations, the extinction of all law, civil and domeſtic wars, and ultimately, the downfal of this city, and of the whole Roman empire, muſt inevitably enſue: Unleſs the immortal Powers, by the exerciſe of every art of humiliation and contrition on our part, ſhould be ſo far appeaſed; as to unbend even the bows of fate, then drawn for our deſtruction.

[p] [P] NOTE XV.

[q] [Q] NOTE XVI.

[r] [R] NOTE XVII.

[s] [S] NOTE XVIII.

REVERENCE for theſe predictions, produced an order for [t] the ſports to be continued ten days; nor was any circumſtance of devotion or otherwiſe, that could tend to deprecate the omnipotent wrath, omitted. By the ſame authority, a larger ſtatue of Jupiter was ordered to be erected in a very elevated ſituation; and, reverſely of its former poſition, with the face toward the eaſt. Theſe holy men preſumed, if this ſtatue, which you now behold, ſhould at the ſame time front the riſing ſun, the courts, and the forum; that thoſe dark and inſidious ſnares, privately laid for the deſtruction of your city and the empire, would be ſo far illumined, to enable the ſenate and people of Rome, to penetrate them with their eyes, and pierce their inmoſt foldings and receſſes.

THE Conſuls of that time, gave the neceſſary orders for the erection of the ſtatue. But, from ſome remiſſneſs in the execution of theſe orders, the ſtatue was not erected during their Conſulate; nor indeed, in the courſe of our own, until this very critical period. Now, in the progreſs of this incident, is there, O Romans! a man ſo perverſely bent againſt the conviction of truth; ſo raſh, ſo diſtracted in mind to deny; all theſe events, and the city in particular, to be governed, and directed by the power, and in obedience to the will, of the eternal Gods?

YET, when the aruſpices predicted, that fire and ſword were preparing for the deſtruction of the republic, and, by her own degenerate children; the enormity of ſuch

[t] NOTE XIX.

guilt,

guilt, rendered ſome perſons, ſuſpicious of the truths advanced by thoſe reverend men. You however, have been complete witneſſes, that theſe circumſtances were not only agitated, but in part executed, by our apoſtate brethren. And, have we not this day, the moſt ſingular inſtance, that every incident has been conducted by the influence of THE GREAT, THE MIGHTY JOVE? "Was not the ſtatue fixing in its deſtined poſition, at the moment the conſpirators and the witneſſes, were by my order, led through the forum into the Temple of Concord? But, no ſooner was it placed in a direction fronting you and the ſenate; than by you and the ſenate, every circumſtance relative to the conſpiracy was opened, viewed and illuſtrated.

SURELY thoſe, whoſe deſigns involved not only you, your habitations and your families, but would have, likewiſe involved, the ſacred temples and dwellings of the Gods, in one dire and univerſal conflagration; have juſtly attired to themſelves, an unmeaſureable portion of your deteſtation and vengeance. Should I aſſume to myſelf the merit of defeating thoſe infernal projects, I might well be cenſured for intolerable arrogance. On the contrary, I am fully perſuaded their overthrow was the work of JOVE; that THE GREAT JOVE alone, diſcomfited their deſigns. I am alſo convinced, that the preſervation of the capitol, the preſent exiſtence of your ſacred fanes, and that you now poſſeſs this imperial city; all depended upon, and were effected by, the will and pleaſure of THE MIGHTY JOVE. Finally, that the divine

"[U] NOTE XX.

inſpiration of immortal leaders, enabled me to judge and act as I did; and at length to develope, the ſource and myſtery of this dark, crooked, and abominable conſpiracy.

In regard to tampering with the Allobroges. Lentulus, and his aſſociates, never could have directed their affairs ſo injudiciouſly, to truſt letters of ſuch moment, in ſuch a manner, and to ignorant and barbarous men; unleſs the divine Powers had firſt bereft thoſe daring villains, of the common principles of prudence. So the Gauls, ill-affected as they are to our government, and the only people capable of looking the Roman power in the face; would they not, do you apprehend, have ſeized with avidity an opportunity, where the hopes of independence and immenſurable advantages, were laid at their feet by the patricians of Rome? Do you apprehend, I ſay, under theſe circumſtances, that unleſs they had been ſtupified by fate, they would have eſteemed your ſafety, before their own advancement? "Can the divine interpoſition be more clearly aſcertained than in this caſe? Even a recourſe to arms was unneceſſary; ſecrecy alone, in reſpect to the Gauls, would have compaſſed every event.

Every circumſtance being thus happily determined, and a thankſgiving before the *ſhrines and altars of the Gods decreed; ſhare, O Romans! with your wives and children, this great feſtival of joy, theſe days of deliverance. Many, and juſtly decreed, have been our thankſgivings to the immortal Gods; but, never ſurely was an

* [W] NOTE XXI. * [X] NOTE XXII.

inſtance,

inſtance, wherein we owed ſo much to the influence of their tutelary power. Here you were ſnatched from a cruel and miſerable fate, without the loſs of a ſingle life, or the ſhedding one drop of blood; without the neceſſity of an army, or an encounter with the enemy. You are here victorious, without even the appearance of war. Through me, your ſole leader, and without my deſerting even the robes of peace, victory has every where declared for you.

OBSERVE, my Friends, the different events of thoſe civil diſſentions, which at different periods have embroiled the empire. I do not mean thoſe only which are recorded to you; but ſuch likewiſe, as may have fallen within the ſcope of your own remembrance and obſervation. [y]Lucius Sylla harraſſed, and at laſt deſtroyed, Sulpicius; forced Caius Marius to retire from that city, of which he was the protector; and either expelled or murdered, many of our braveſt citizens. [z]Caius Octavius, by force of arms, drove his colleague from Rome; and in the conflict ſuch numbers fell, that the heaps of dead bodies ſtopped the paſſage of the ſtreets, while torrents of blood ran through the channels. Marius, by this time united with Cinna, again prevailed. In this dreadful encounter, what numbers of the nobleſt citizens were deſtroyed; how many of our great luminaries extinguiſhed?

THE cruelties attending that victory, were amply revenged by Sylla; but with what loſs of brave men, what

[y] [Y] NOTE XXIII. [z] [Z] NOTE XXIV.

cauſe of ſorrow to the republic, I need not relate. A difference aroſe between Marcus Lepidus, and Quintus Catulus a great and truly brave man; which, though not ſo affecting in its conſequences to the ſtate as other diſputes, ended however, in the ruin of Lepidus. But, in all theſe conflicts, my Countrymen, a change only, not an abolition of government, was the object of the diſputes. Theſe men labored not for the extermination of government; but, for the eſtabliſhment of their own power. Their efforts were not to deſtroy the city, but to govern the citizens. Yet, of all theſe engagements, of which no one was levelled againſt the republic; ſtill, not a ſingle difference was terminated by a conciliation of intereſts, without the murder of ſome citizens. But, in this war, the moſt extenſive, and bloody that any age or time can produce; a war ſo unnatural, that the moſt barbarous nations can furniſh no precedent; a war, in which, by a reſolution of Lentulus, Catiline, Caſſius, and Cethegus, every citizen who refuſed to become a traitor was deſtined to death: yet, from ſuch a war, have I extricated you, without your ſafety being once really endangered. On the contrary, though your enemies intended that no more of your citizens ſhould ſurvive, than thoſe whoſe eſcape from the ſword, chance or other inevitable circumſtances might effect; and that no part of your city ſhould withſtand the conflagration, but ſuch as the flames could not poſſibly reach; ſtill, I have brought you all forth ſafe, unhurt, and free from every ſuſpicion of danger.

For all theſe ineſtimable benefits, I do not even aſk the reward of virtue. I deſire no monument; I ſolicit no triumphs. A perpetual commemoration, an eternal memorial of the event, is the ſum of my wiſhes. Let all my triumphs, my enſigns of honor, my monuments of glory, all orations in my praiſe; be conſtructed in your minds. Let them be there depoſited, and preſerved. Mute honors, and ſilent memorials of glory, the reward of common ſervices; affect not me, I wiſh them not. In your memory, O Romans! let my glory live; upon your tongues, let it be diſplayed; and in the juſtice of your, and poſterity's records; let it gather ſtrength from time, and flouriſh in immortality. And this day, the day of your deliverance; a deliverance, which Heaven grant may prove eternal! being eſtabliſhed as a memorial of your preſervation, will if my preſages are juſt, tranſmit to lateſt poſterity, the glory of my Conſulate. And at the ſame time eſtabliſh as a truth to all ages, that at this period, lived two citizens; "one, who removed the boundaries of your empire from earth to heaven, while the other confirmed the ſtability of its center, and that the center of the univerſe.

But, there is an eſſential difference between the ſucceſſes of war, and thoſe ſervices which I have rendered to my country. The general, and the warrior, can ſucceed only by the ſlaughter or enthralment of their enemies. But I, continue to live, to aſſociate with thoſe, over whom I have triumphed. Be it therefore your eſpecial care, O, my Countrymen! that, while the ſucceſſes of ſuch men, pro-

" [AA] NOTE XXV.

cure

cure for them the moſt ſolid advantages; my ſervices may not eventually injure me. I have amply ſecured you, againſt the impious and abominable machinations of your enemies; do you then take the ſame precautions, in reſpect of my ſafety.

Not my Friends, that I apprehend there exiſts in my enemies, the power of doing violence to my perſon. Great is the defence I have in the friendſhip of the virtuous, a defence, that I am aſſured, will never fail me. Great the [ab]dignity of my ſtation, my perpetual, though ſilent defender. And great, ſo great indeed the force of conſcience, no man can abuſe that monitor, without anticipating the violence meant for me, by a manifeſtation of his purpoſe. There is beſide, my Friends, a ſpirit in Cicero, which ſcorns to yield to the moſt daring oppoſition. Such a ſpirit, as courts the attack of the infamous and abandoned. But, if an hoſt of domeſtic enemies, repelled from their attack upon you, ſhould oppoſe their united force to my ſingle perſon; the care of my ſafety would then become your duty. In every caſe, O Romans! you are to conſider the predicament in which you place thoſe, who have the virtue and the courage, to ſet at nought the malice of thouſands; and to incur the moſt imminent dangers, for your protection and preſervation.

In reſpect of perſonal advantages, what have I now to hope, that can improve the enjoyment of life? The plenitude of your power, cannot give me increaſe of dignity;

[ab] NOTE XXVI.

nor

nor add to my honors. With reſpect to the glory of virtue alſo, I have aſcended the climax; and am firmly fixed upon the uppermoſt ſeat. Nevertheleſs, my conduct in private life, ſhall never diſgrace my Conſulate; but if poſſible, ornament and dignify my public elevation. And I hope in ſuch a degree, that if my ſervices to the republic muſt neceſſarily be perſued by the obloquy of envy, thoſe efforts will recoil upon itſelf; and ſerve eventually, to brighten my glory. In brief, my future deportment upon every occaſion, ſhall bear a reference to my paſt conduct. That the whole may appear the reſult of uniform and fixed principles of virtue; not the offspring of accident, or chance.

NIGHT is now approaching. Offer therefore, your ſupplications TO JOVE, the guardian of yourſelves, and of your city. Retire to your abodes; and though you might I doubt not, lie down without apprehenſions; ſtill, for this night, keep watch as before. Afterward, your watching will be no longer neceſſary. I, my Friends, will from that time forward be reſponſible, for your continuance in peace and in ſafety[ac].

[ac] [AC] NOTE XXVII.

ARGUMENT

OF THE

FOURTH ORATION

AGAINST

CATILINE.

THE partiſans of the impriſoned conſpirators, having endeavored, by bribes and largeſſes to the common people, to excite a tumult and free the conſpirators; Cicero redoubled the guard, and convened the ſenate, deſiring to know their immediate pleaſure concerning the fate of the delinquents. The opinion of Decius Silanus, Conſul elect, was firſt demanded. He was for ſentence of death, upon all the conſpirators then in cuſtody. Julius Ceſar propoſed to puniſh them by perpetual impriſonment, and confiſcation of their effects. The deſign of Cicero was previouſly fixed for capitally puniſhing, as appears from many circumſtances; though he affects in this oration, to be totally paſſive, and to conſider himſelf as the mere agent of the ſenate's purpoſes. The ſenate however, by a majority of ſuffrages, condemned Publius Lentulus, Caius

ARGUMENT.

Cethegus, Lucius Statilius, Publius Gabinius, and Marcus Ceparius, to a capital puniſhment: and they were accordingly executed the ſame night, in preſence of Cicero. This oration was pronounced in the ſenate-houſe, a few days after the delivery of the third oration.

FOURTH

FOURTH

ORATION

AGAINST

CATILINE.

ADDRESSED TO THE SENATE.

EVERY eye, every countenance I can diſcern, Fathers Conſcript, to be turned upon me. Your anxiety and ſolicitude extend, I clearly perceive, beyond a ſenſe of your own and your country's danger; and, was that removed, have a proſpective eye to my ſafety. An attention ſo honorable for me, cannot but ſoften my diſtreſſes, and ſooth my ſufferings. But I intreat, by the immortal Gods, I beſeech you! to diveſt yourſelves of every ſolicitude for me; and to advert ſolely to the ſecurity of your own perſons, and that of your families. I declare, in the ſincerity of my heart; that if ſorrow, bitterneſs, and pain, were annexed as abſolute conditions to the Conſulate; I would bear them all, moſt willingly bear them, pro-

[A] NOTE I.

vided the honor and well-being of my country, were aſſuredly the reſult of my ſufferings.

I, CONSCRIPT FATHERS, am that Conſul, whom neither the [b]forum, a place renowned for equity; the field, ſacred to the Conſular auſpices; the ſenate houſe, that high, auxiliary reſort of all nations: whom, neither [c]houſehold Gods, the common refuge of all mankind; the couch deſtined for repoſe; this ſeat of honor; nor even the [d]curule chair itſelf; have been able to exempt from treachery, and the ſnares of death. What, have I not ſuppreſſed! What, not ſuffered! What conceſſions not made! What pain not endured, to heal your griefs! While you, yourſelves, were helpleſs. But, if the immortal Gods ſhould ſuffer my Conſulſhip to teem with the glory of having ſnatched you noble Patricians, and the Roman people alſo, from the mercileſs rage of maſſacre: If the glory of reſcuing your wives, your children, and the ſacred veſtals, from raviſhment and dire perſecution; your temples, the images of your Gods, with this fair empire, from the horrors of conflagration; and all Italy from rapine and devaſtation, ſhould be aſcribed to my Conſulate: the ſevereſt perſonal inflictions of fortune confined to myſelf, I would then moſt chearfully bear. For, if Publius Lentulus induced by predictions, preſumed that his name ſhould be the ſcourge and bane of the republic; why am I reprehenſible in exulting, becauſe fate ordained my Conſulate to be propitious to the ſafety of my country? Wherefore, Con-

[b] NOTE II. [c] NOTE III.
[d] NOTE IV.

ſcript

ſcript Fathers, take heed to yourſelves, and look forward to the public good. Attend with vigilance to the ſafety of your wives, your children, and your own concerns. Let the honor and ſafety of the Roman people, be the leading objects in your minds. But, for me, and on account of my fate, give yourſelves no trouble.

I HAVE, in the firſt place, every reaſon to hope, that the Gods, who preſide over the ſafety of Rome; will reward any merit found in me, with ampleſt returns. Or, ſhould any unexpected incident ariſe, my mind is framed to bear even death itſelf, with ſteadineſs and reſolution. Indeed, what can there be in death diſhonorable to the truly brave? What, unexpected to the Conſular? Or, [e]grievous to the wiſe? Yet, am I not formed of ſubſtance ſo obdurate, that the ſorrows of a dear and tenderly beloved [f]brother now preſent; and the tears of thoſe worthy men which you now ſee ſurround me, move me not. Nor am I ſo loſt to all the tender ſenſations, but that a dear wife, petrified almoſt with grief; a [g]beloved daughter, ſinking under the weight of her fears; an infant ſon, who I can fancy my country embraces as a pledge of my Conſular conduct; a ſon in-law, now before my eyes, anxiouſly waiting for the event of this day; but that theſe muſt often urge my mind, to obey the calls of natural affection. Yes, ſuch conſiderations weigh more with no man. Still, I ſhall ever wiſh that you and they, may be placed beyond the reach of danger, at

[e] NOTE V. [f] NOTE VI.

[g] NOTE VII.

whatever

whatever conſequence to myſelf; rather than that we all, together with the republic, ſhould periſh in one complete ruin.

For theſe reaſons, moſt noble Senators, redouble your vigilance and circumſpection. Obſerve, and watch the progreſs, of every impending cloud; ſome of which, but for the moſt minute attention, muſt burſt upon your heads. You are not now ſitting in judgment upon a Tiberius Gracchus, whoſe attempt went no further than to ſeize the Tribuneſhip. Nor upon a Caius Gracchus, the leader of a mob, aiming only at the procurement of the Agrarian law. Nor yet upon a Lucius Saturninus, arraigned for the murder of Caius Memnius, whom he killed from a private cauſe of diſguſt. No, the culprits now arraigned at the tribunal of your juſtice, are charged with a deſign of laying in aſhes your imperial city, and ſlaughtering every ſenator they ſhould find within its walls. They are charged alſo, with remaining at Rome, on purpoſe to execute this fatal deſign; and afterward to receive Catiline, their co-operating agent and chieftain. Their letters, and identified ſeals, their hand-writing, and their own confeſſions likewiſe; are all in your poſſeſſion. They have further, made attempts to ſeduce the Allobroges, [b]excited the ſlaves to revolt, and, invited the approach of Catiline. And laſtly, they determined, that every individual ſhould periſh by the ſword; without leaving one faithful citizen, to bewail the ruin of Rome, or to ſhed a patriotic tear over the expiring republic. All

[b] [H] NOTE VIII.

this

this has been clearly proved by witneſſes, confeſſed by the parties, and many reſolutions have been paſſed by you thereupon.

You have, in the firſt place, reſolved: That, the moſt honorable acknowledgments ſhould be preſented to me, and in terms the moſt flattering and expreſſive. And you have alſo declared, the conſpiracy of theſe derogate men, to have been laid open by means of my vigilance and abilities. In the ſecond place, you have compelled Publius Lentulus to abjure the pretorſhip; and after the examination of him and his accomplices, delivered them to ſafe cuſtody. Next, you decreed a ſolemn thankſgiving in my name; an honor never before enjoyed by the civil magiſtrate. And at length, you yeſterday ordered, the moſt ample rewards to the ambaſſadors, and to Titus Vulturcius. From all which reſolutions, men naturally conclude, and indeed without a doubt; that as you have ſo unheſitatingly conſigned the priſoners to the dungeon; you have alſo in your minds, condemned them to puniſhment.

But I, Conſcript Fathers, have determined to reviſe, and bring the whole proceedings again before you; that you may judge the fact clearly, and, propound ſuch puniſhments, as you deem juſt and adequate. What however as your Conſul, my duty requires of me, I will, nevertheleſs ſpeak. A factious and ungovernable ſpirit, had but too viſibly, been ſome time working in the ſtate. New evils every day aroſe, and freſh diſturbances mingled with

[I] NOTE IX.

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the old. But, that the leaven ſhould work with ſuch extraordinary ferment, to produce ſo dangerous a conſpiracy among the citizens, exceeded my powers of credibility. Nevertheleſs, whatever may be your opinions, and determination; this night they muſt be declared. The nature and extent of the conſpiracy, you may eaſily aſcertain. But, if you think this the work of a few, believe me you err moſt egregiouſly. The evil has ſpread farther than you imagine. It is already diſſeminated, not only throughout Italy, but has paſſed alſo, the boundary of the Alps; and even the provinces, ſhew ſigns of a malignant taint. Slow, and irreſolute meaſures, can never cure the evil. Whatever therefore, may be the ſubſtance of your determinations; they muſt be ſo framed, to operate inſtantaneouſly.

HITHERTO, I have been able to collect but two opinions. [k]Decius Silanus thinks, that an attempt to raze from the earth a glorious republic, ſhould be puniſhed with the death of the conſpiring traitors. Caius Ceſar, agrees in the infliction of every puniſhment, except death; but in his judgment, ſtops ſhort of death. Both, agreeably to their natural dignity of mind, and the importance of the caſe; concur in the adoption of extreme ſeverity towards the delinquents.

SILANUS, is alſo of opinion, that thoſe perſons who would have ſtruck at the lives of ourſelves, and of the whole Roman people; whoſe deſign was to carry devaſta-

[k] [K] NOTE X.

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tion throughout the empire, and to blot out the very name of Roman; are unworthy to inhale with us the ſweet breath of Heaven, or partake one moment, of the bleſſings of exiſtence. And this opinion he ſays, will be found perfectly conformable to other determinations of the republic, in ſimilar caſes.

CAIUS CESAR however, thinks otherwiſe. Death, according to his opinion, was not ordained by the immortal Gods as a puniſhment; but produced by an inevitable conſequence of nature, or, intended as a merciful releaſe from miſery and trouble. As ſuch, [l]death is never ſhunned by the wiſe; and the brave, often court it. But, the greateſt of all puniſhments, and that deſigned for crimes of a peculiar malignity, is as he thinks, perpetual chains. He, therefore votes, that the criminals ſhould be [m]diſperſed among the municipal towns.

THIS determination if adopted, would be manifeſtly unjuſt; and the execution difficult. Nevertheleſs, if you ſhould decree to that purpoſe, I am ready to carry your decree into execution. And Ceſar's conduct in return, will I hope alſo prove; that there can be nothing derogatory of his dignity, in concurring with whatever you ſhall judge to be for our common benefit.

CESAR, is likewiſe for amercing in a heavy penalty, any of thoſe cities from which a criminal ſhould eſcape; and to appoint ſuch keepers to their priſons, as excite horror

[l] [L] NOTE XI.

[m] [M] NOTE XII.

in the very idea. Further, he propoſes a ſeverity, juſtly adapted I confeſs, to the enormity of their guilt; that no perſon ſhould be permitted to apply, either to the ſenate or the people, for a mitigation of the puniſhment of thoſe ſo condemned. Thus ſhutting out even hope itſelf; that never-failing ſource of conſolation to the wretched. Their eſtates and effects, he would have eſcheat to the ſtate. In ſhort, life is all he leaves unattached, to thoſe unhappy wretches. And ſhould he take that, it would be but [n]the reſolving of many pangs of the body, and much ſuffering of the mind, into one momentary ſenſation of bitterneſs. In like manner the ancients, that ſome formidable puniſhments might be ſet up before the wicked; conſtituted ſuch as reſembled thoſe [o]allotted to the guilty in hell. For they conceived, that without ſome objects of dread in futurity; the fear of death alone, would not have ſufficient power to deter mankind.

I CAN clearly diſcern, Fathers Conſcript, how my intereſt ſtands between theſe opinions. If Caius Ceſar's advice ſhould be adopted, being built ſo firmly upon the ground of popularity, and originating publicly from ſuch great authority; I ſhould be ſecured againſt every apprehenſion of the people's reſentment. Whereas, by following the opinion of Decius Silanus, I may involve myſelf in many, and various kinds of difficulties. The intereſt of the republic, ſhall nevertheleſs, always prevail in my breaſt, againſt every ſenſe of danger, againſt every oppoſition, however formidable.

[n] NOTE XIII.

[o] NOTE XIV.

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THE opinion delivered by Ceſar, correſponds exactly with the native dignity of his own elevated mind; is perfectly conſonant with the uniform greatneſs of his noble anceſtors; and a pledge, of his never-ceaſing love for his country. Here, you may behold the difference, between the pretended lenity of artful orators, and the ſincere declarations of a patriotic ſoul, laboring for the good of the republic[P]!

ONE of the pretenders to popularity, I do not ſee among you to-day. His ſqueamiſh conſcience will not ſuffer him, I ſuppoſe, to be an acceſſary to the death of his fellow-citizens. Far baniſhed be ſuch mean diſſimulation! Did not this abſent ſenator, a very ſhort time ago, join in directing the commitment of Publius Lentulus, and Cethegus, two citizens of Rome? Was he not one of thoſe who declared a thankſgiving in my name? And did he not yeſterday concur, in granting large rewards to the informers? The true opinion of this abſentee will be eaſily comprehended, when we reflect that he agreed to the impriſonment of the accuſed; voted thanks to the judge; and rewards to the accuſers.

BUT according to Ceſar, [Q]the Sempronian law affects only the citizens of Rome; who can, by no ſtretch of interpretation whatever, be ranked as enemies. He alſo conſiders, that the author, Sempronius himſelf, ſuffered the penalties of his own law, and by the people's direction. Nor can Lentulus, the corrupt and prodigal Lentulus, who

[P] NOTE XV.

[Q] NOTE XVI.

with ſuch unparalleled cruelty, planned the deſtruction of your city, and the ruin of your republic; be in the eſtimation of Ceſar, now numbered among the citizens of Rome. For which reaſons, even the merciful and lenient Caius Ceſar, adjudges him to perpetual chains, and a dungeon. He is even for providing againſt any man's erecting the ſtandard of popularity in future, through an application in favor of the condemned; by a decree to be paſſed againſt any ſuch application. To theſe ſevere inflictions, Ceſar would add the confiſcation of their whole effects; thus ſharpening the tortures of impriſonment and chains, by the coroding conſciouſneſs of want and beggary.

If you ſhould follow Caius Ceſar through this buſineſs, you unite me with a perſon, whoſe agency has been ever dear and grateful to the Roman people. Or, if the opinion of Silanus ſhould be that preferred; you then ſcreen both yourſelves and me, from the imputation of cruelty. And, that the latter is the moſt gentle and merciful toward the criminals I ſhall be able, eaſily to prove.

But what extent of puniſhment can be deemed cruelty, in a caſe of ſuch enormous, and complicated guilt? Still, believe me, I judge with a feeling mind. May I be cut off from a participation with you, of the bleſſings derived from my country's ſafety, if the rigor I exerciſe in this cauſe, ariſes from rancor or revenge; for, 'who is

[R] NOTE XVII.

naturally,

naturally more gentle?—or, from any other principle than general humanity and mercy.

BUT, have I not perpetually preſent to my view, this glorious city, the light of the world, and the ſupport of every nation; in the inſtant of falling a prey to devouring flames? Have I not, do you apprehend, conſtantly before my eyes, the diſmal proſpect of ſlaughtered fellow-citizens, lying in heaps unburied, upon thoſe ruins in which my country finds a grave? The fatal aſpect of Cethegus, the fury of his blood-thirſty ſoul, revelling in your deſtruction; at this moment appal me with horror. But, when I behold the ſceptered Lentulus, ſeated on the throne beſtowed upon him by HIS FATES; when I ſee the purple-robed Gabinius; and view Catiline, with his forces, at the gates of Rome: the ſhrieks of matrons, the perſuit of virgins and youths, the horrid rapes of the ſacred veſtals; act with ſuch variety of horror upon my mind, that I am loſt in the diſtraction of the ſcene.

CAN you then wonder, Fathers Conſcript, feeling as I do, the horror excited on one ſide, and compaſſion for the ſufferings of the other; that my whole powers are bent to puniſh the authors of ſuch dire and irretrievable deſtruction? Let me aſk any of you, who is the father of a family; if his wife ſhould be murdered, his children ſlaughtered, and his houſe conſigned to the flames, by the villainy of a ſervant; and he, the maſter, ſhould inflict any, but the ſevereſt and moſt excruciating puniſhment; whether this mode of puniſhing, would not rather deſerve the appellations of cruelty and inhumanity, than thoſe of

mercy

mercy and compaſſion? The man, who could not ſooth his anguiſh and ſorrow in ſuch a caſe, by the tortures and ſuffering of the criminal who occaſioned them; muſt be, according to my apprehenſion, a cruel, and unfeeling man.

In this light ſhould we conſider thoſe who would have murdered ourſelves, our wives, and children. Who aimed at the entire demolition of our city, and would have deſtroyed, without a veſtige, this auguſt ſeat, of a ſtill more auguſt empire. Who would have fixed the Allobroges on the ſpot where your city once ſtood; and raiſed a foundation for their greatneſs, on the aſhes of Rome. Rigor here, would be univerſal clemency. Whereas, a remiſſneſs of puniſhing, where ſuch danger hangs over the republic, muſt ſubject you to the cenſure of cruelty, toward your country, and fellow-citizens. Lucius Ceſar, that brave and patriotic citizen, might otherwiſe have been accuſed of cruelty, when a few days ago, he did not ſcruple to declare, that the huſband of his ſiſter, then preſent, merited the puniſhment of death. Repeating at the ſame time, the circumſtance of his grandfather killed by the command of the Conſul; and alſo that of the ſon, who, by the ſame order, was put to death in priſon, for carrying reiterated meſſages againſt the Conſul's command.

But, what in their caſe, reſembled the preſent? They intended to deſtroy no republic. Innovations in government, were indeed begun, and parties formed; and the grandfather of Lentulus, now your priſoner, a man of eminent virtues, armed and attacked Gracchus; when, in defending

defending the republic from the danger that threatened, he received a deſperate wound. But the ſchemes of Lentulus, went to the overturning every foundation of your empire. He invited the Gauls; excited a revolt of the ſlaves; and ſolicited Catiline's approach to the city. The diſtribution of his orders were then fixed. Cethegus, was to ſuperintend the maſſacre of the ſenate; Gabinius, to prevent a ſingle citizen from eſcaping the general ſlaughter; Caſſius' command, was to commit the city to flames: while the ravagement of the whole empire, was the allotment of Catiline.

And ſhould I harbor an idea, that you think ſuch unbounded guilt, ſuch unlimited devaſtation, can be too ſeverely puniſhed? Puniſh as you may, you have even then, more reaſon to fear cenſure for your lenity; than any reproach for your ſeverity. What I have heard, I will not conceal. I know that ſome perſons have expreſſed their doubts, whether I am ſufficiently ſtrengthened, to inſure the execution of the decrees you may to-day reſolve upon iſſuing. Be aſſured, Fathers Conſcript, every proviſion is made for that purpoſe. Something herein, reſults from my care and diligence. But the far greater part is due, to the avidity the people have diſcovered for ſuſtaining their own imperial dignity; and to their alertneſs, in the preſervation of their common rights.

On an occaſion like this, no citizen of what rank ſoever, of whatever age, could be abſent. The forum

[S] NOTE XVIII.

[T] NOTE XIX.

you

you ſee, can contain no more, the ſurrounding temples are full; as indeed, is every ſpot, every avenue to this place. The reaſon is plain. Since the era of Rome's foundation, this is the only caſe, in which the whole people, without excepting a ſingle citizen, have been unanimous, and concurrent. Thoſe indeed, who ſeeing their own deſtruction inevitable, and choſe rather to periſh with the generality than by themſelves I except, and willingly ſecern. Thoſe I do not honor with the name of citizens, by whatever epithet degraded; they are indeed, more juſtly denominated the implacable enemies of their country, and deſerve no other appellation.

IMMORTAL GODS! in what numbers, with what alacrity, what bravery, what unanimity, the citizens exert themſelves in our common defence! What neceſſity have I to mention the Roman knights? Yet I cannot help obſerving, that though they chearfully acknowledge your precedency in rank, and affairs of ſtate; yet do they contend with you, in the love of their country. What pleaſure, after a diſſention of ſo many years, [u] to ſee unanimity and a cordial intercourſe, effected between you; and by ſtrengthning this cauſe! An intercourſe, which if confirmed by my Conſulate, will be perpetual in the republic. And I engage to you, that henceforward, no evil, either civil or domeſtic, ſhall ever ariſe to diſturb your conſtitution.

EQUALLY ſolicitous upon this occaſion, I behold [w] the ſpirited tribunes of the treaſury, and their clerks alſo, aſ-

[u] [U] NOTE XX.

[w] [W] NOTE XXI.

ſembled.

ſembled. The conſideration of their private concerns, is totally abſorbed by higher intereſts. The generous and the free, the flower of the ſtate, crowd hither in multitudes; nor is there a citizen, of the loweſt condition, that does not appear intereſted. Indeed, who can be either ſo elevated, or ſo depreſſed in circumſtances, not to view theſe temples, the fair aſpect of this glorious city, the bleſſings of liberty, together with the light from Heaven, and the parent ſoil it enlightens and cheers, for their common benefit; as not only dear to their hearts, but ſweet, animating, and delightful to their ſouls.

Observe likewiſe, noble Patricians, as a circumſtance well worthy your attention, thoſe freed men; who, though born to no rights of denization, have acquired them all by their merit and good conduct. Obſerve the arduous and lively affection, with which they maintain their right to a country, where they had originally and naturally, no intereſt nor claims. And contraſt that, with the conduct of others, born to every right, and eligible to the higheſt honors; who, you will ſee, renouncing not only their native country, but conſidering this their parent city, as the nurſe and aſylum of their enemies.

But why do I mention the ſeveral orders of men, whoſe property, intereſt in the ſtate, and freedom of condition, muſt neceſſarily excite them to a vigorous exertion

in the defence of our common ſafety? By Heaven! there is not a ſlave, *whoſe lot of ſervitude is in any wiſe tolerable, who does not behold theſe daring attacks with horror and compunction; who does not love and wiſh the city's preſervation; and, who is not bold in your defence, and ready to aſſiſt with his beſt ſervices.

If the report which has been circulated, that a certain pander of Lentulus, had poſted from houſe to houſe among the artiſans and tradeſmen; hoping, by bribery and other lures, to debauch and alienate the minds of the indigent and abandoned from their duty, ſhould have reached your ears; the report is true, I confeſs. Such a ſcheme was indeed in agitation, and the experiment tried. But, no one could be found in circumſtances ſo deplorable, or of a diſpoſition ſo unnatural, who did not prefer his lowly cell, and honeſt gain in the place where his lot was fallen; who did not much rather content himſelf with his humble couch, or wretched bulk: in ſhort, who did not prefer a peaceful and honeſt enjoyment of life, to all the wicked temptations of Lentulus.

The greateſt part, or more properly ſpeaking, the whole claſs of tradeſmen and artiſans, are lovers of peace. Their wares, manufactures, and implements; all their proſpects of gain, depend upon the populouſneſs of the city, and the ſerenity of the times. If therefore, ſhutting their ſhops only, could ſo greatly alarm them;

*[X] NOTE XXII.

what

what would they not apprehend from their being burnt to the ground?

SEEING then, Fathers Conſcript, that every aid the Roman people can ſupply, is at your command; be not deficient in your part, toward their defence. You have a Conſul, who has ſurvived innumerable ſnares and dangers; who has been often ſnatched from the jaws of death; and reſerved at length, not for himſelf, but for your good. Each order of the ſtate concurs with the reſt, in one mind, one will, one endeavor; with the ſame heart, and with one voice, in the defence of the republic. Your parent country, environed by flames, the paricidal dagger at her throat; ſues with out-ſtretched hands to you, for protection and defence. To you, ſhe commits her cauſe; on you, reſts the ſecurity of her children's lives. In your cuſtody, ſhe depoſits the capitol, that towering edifice of Rome; the altars of her [y] houſehold gods; the ſacred and ever-exiſting veſtal fire. The temples and altars of the Gods; the bonds of families; and every part of Rome, to the very walls that circumſcribe it; into your cuſtody ſhe commits them all: ſecurely relying on your auſpices.

THIS alſo is the important day, in which you are to give judgment upon your own lives. This the day, wherein you are to decide upon the eternal happineſs of your wives and children; upon the fortune of Rome; upon your property; and upon the ſocial ties of nature. You have at the ſame time, a chief all-devoted to the

[y] NOTE XXIII.

republic, unconſcious of one private intereſt. A peculiar inſtance of adventitious fortune. You have likewiſe, what never yet happened in any civil cauſe; every individual of every order of the Roman empire, concurrent in opinion, and co-operating in the general work.

REFLECT then, noble Patricians! Reflect but for a moment, on an empire, formed by ſuch a ſeries of toils and labor; on liberty, eſtabliſhed by the exerciſe of ſuch unparalleled virtue; on ſuch a ſplendid, ſuch an incredible increaſe of greatneſs, dignity, and fortune: all nearly loſt, ſcattered, or defaced, in one fatal night. This is the day on which you are required to provide, not only againſt the future perpetration of ſimilar evils; but to root out the very principles of treaſon, from the minds of men. Do not think I urge theſe circumſtances, as neceſſary to rouſe you to an active and deciſive part; no, your zeal and diſpatch have outrun, even my own. But, that in expounding theſe truths I might appear to take the lead, as the duty of my conſular office requires.

PERMIT me however, Fathers Conſcript, before I collect your opinions, to ſay a few words in regard to my particular ſituation. In proportion to the number of conſpirators, which you muſt perceive is great, will be that of the enemies I ſhall draw upon myſelf. They will, no doubt, conſiſt of the infamous, and the impotent; of the abject, and moſt contemptible beings of the republic. But, ſhould the villainy and deſperation of this abandoned ſet, ever prevail over your honor, and the dignity of the republic; even then will I glory in, never repent of, the meaſures I have

have recommended, and the ſteps I may have taken. Though my death may perhaps, be that particularly ſought, yet in this ſearch our fate may be common. However in life, through the favor of your gracious decrees, I bear a ſuper-eminence of honor, as yet unattained by any Roman citizen.

THANKSGIVINGS have been decreed to others for meritorious actions of different kinds; but thankſgiving for a republic ſaved, was never yet decreed to any individual but myſelf. [z]All renown to Scipio, to that Scipio by whoſe courage and conduct Hannibal's return to Africa was compelled, and his retreat from Italy effected! And may unfading glory ever attend [aa]the other Scipio, by the proweſs of whoſe arms, Carthage and Numantia, two cities the peſts of the republic, were exterminated! [ab]Diſtinguiſhed ever be the name of Lucius Paulus, at whoſe chariot wheels, Perſes, a once-great and powerful monarch, was led in triumph! [ac]Immortal glory ſurround the ſhrine of Marius, who twice delivered us from a beſieging enemy, and from the fear of ſlavery! [ad]But thrice, and above-all-renowned, be the great Pompey! Whoſe matchleſs virtues and heroic deeds, reach every clime, fill every ſpace, within the limits of the courſe preſcribed the ſun! Nor, in the midſt of ſuch recorded glories, ſhall perhaps, a place be wanting to inſcribe my own. Unleſs the glory of conquering provinces, to which, when hence

[z] [Z] NOTE XXIV.
[aa] [AA] NOTE XXV.
[ab] [AB] NOTE XXVI.
[ac] [AC] NOTE XXVII.
[ad] [AD] NOTE XXVIII.

expelled,

expelled, we may retire; ſhould be found greater than that, of preſerving a retreat to ſuch conquerors, to enjoy the triumphs of their greatneſs.

In one inſtance, no doubt, foreign conqueſts have the advantage over domeſtic. A foreign enemy reduced by arms, will patiently ſubmit; and if received into community, remain attached by the obligation. But when, by ſome degenerate and inexplicable enmity, the ſubjects of a ſtate riſe in arms againſt their parent country; though their pernicious ſchemes may be blaſted, and their arms defeated, no force ever after, will be able to compel, no condeſcenſions to conciliate, the priſtine affection of ſuch ſubjects.

Thus, I perceive eternal war with traitors, to be my lot. Yet, by the aid of univerſal favor; by a ſenſe of dangers faſt locked in the memory, not only of yourſelves, who have eſcaped them, but in that of every nation, through all the world, where they are recorded; I do not fear to repel my enemies. Nor is there a power on earth, able to penetrate or diſſolve, that junction of intereſts eſtabliſhed between your order and the order of Roman knights; any more than to interrupt that harmony, which ſubſiſts among the virtuous, and the well-affected of the empire.

Notwithstanding ſuch a happy iſſue thus far, I aſk no command, no army, no province. I ſolicit no triumph, no tokens of honor; for I have ſpurned them all, to be able more effectually to watch over your ſafety. But, in

in lieu of theſe; [ae] in lieu of clientſhips, and provincial appointments, which, at the expence of my own fortune, I labor more to maintain than extend; permit me in return for all the benefits I have rendered, for all my earneſt endeavors to ſerve you, particularly for my unceaſing care to preſerve the republic; permit me I ſay, to aſk, what is the ſole compenſation I require, a heart-felt remembrance of your preſent deliverance, and of the advantages you have experienced from my Conſulate. While theſe things remain fixed in your minds; I feel myſelf better defended, than by the firmeſt walls of your beſt fortified cities.

But, if this my reaſonable hope, by the prevalence of our enemies ſhould be fruſtrated and extinguiſhed; my child, my infant ſon, let me then commit to your protection. His ſafety cannot but be ſufficiently inſured, and even the road of glory open to him; while you remember that he is the ſon of your preſerver, the ſon of him, who at his own peril and unaided, effected your preſervation.

Proceed then to a determination, Fathers Conſcript; and as you have already propoſed, with firmneſs and diſpatch. The objects of your conſideration, demand your utmoſt reſolution. The continuance of the republic, the very exiſtence of the Roman name, the fate of your wives and children, your religion and liberty, the temples and fanes of the immortal Gods, the ſupport of your roofs, and the union of every ſocial tie; together with the em-

[ae] NOTE XXIX.

pire,

pire, freedom, the ſafety of Italy, and of the republic likewiſe: all depend upon the determination of this day. You have here a Conſul, ready to obey your commands. One, who pledges himſelf alſo, to defend with life, thoſe ſtatutes you ſhall decree; and, at the hazard of every event, to enforce them.[af]

[af] [AF] NOTE XXX.

TITUS ANNIUS MILO.

ORATION.

ARGUMENT

OF THE

ORATION

IN DEFENCE OF

TITUS ANNIUS MILO.

ON the nineteenth day of january in the year ſeven hundred and one of Rome, Publius Clodius was killed in an encounter with Titus Annius Milo. A rancorous enmity had ſubſiſted between Clodius and Milo, during the five years immediately preceding the event of their encounter. This enmity aroſe from a contention about the intereſts of Cicero; which Milo eſpouſed, and Clodius oppoſed.

Clodius' oppoſition to Cicero was founded upon an incident which happened in the year ſix hundred and ninety one of Rome. Clodius, in that year was tried for ſacrilegeouſly profaning the rights of the Bona Dea; and Cicero was an evidence againſt him upon the proſecution. Clodius however, through the means of corrupt judges, was acquitted. But Cicero's teſtimony had ſo clearly refuted the truth of the *alibi*, ſet up by

the priſoner as his defence, that the charge was ever deemed to be juſt, notwithſtanding the priſoner's acquittal.

In the year ſix hundred and ninety five of Rome, Clodius being elected tribune of the people, made uſe of this acceſſion to his power, to revenge the offence, formerly received from Cicero. Upon ſlight, and manifeſtly unjuſt pretences, he procured a ſentence of baniſhment to paſs upon Cicero; which was carried into execution, with circumſtances of unuſual rigor.

The next year, when Clodius' faction was not ſo completely ſtrengthened, the friends of Cicero, moved for his recal from baniſhment. The motion was ſo well received in the ſenate to be carried unanimouſly, excepting the vote of Clodius; notwithſtanding Cicero had many enemies preſent. But, equal unanimity did not prevail without. A party of the Clodian faction aſſailed the friends of Cicero; and had not Milo, who was his moſt zealous admirer, been prepared with a party to oppoſe the Clodians, much blood might have been ſpilt. Some lives were loſt on both ſides; and, Quintus Cicero, with other perſons of conſideration, dangerouſly wounded.

Hence aroſe that invincible enmity, which ſubſiſted ever after between Milo and Clodius. From that period, to the year ſeven hundred and one of Rome, many diſputes and encounters happened between their reſpective factions; but the conteſts of that year ran the higheſt, on account of the pretenſions of their leaders: of Milo, to the Conſulate; and of Clodius, to the pretorſhip. Clodius, who had unbounded views in ſoliciting the pretorſhip, knew that the power Milo muſt derive from the Conſulate, would be ſufficient to thwart his proceedings, and cramp his deſigns. But, being unable to ſtem the torrent of votes, which ran ſo ſtrong in Milo's favor, Clodius made uſe of every procraſtinating art, to delay the election for the Conſulſhip. He ſucceeded ſo far by riots, and oppoſition of the

ſame

ſame kind, that the month of january arrived, and the election was not then made.

Milo had every engine at work, to accelerate the concluſion of the election. No expence was ſpared, to court and ſooth the people; nor were the utmoſt endeavors of his friends wanting. Still, the friends of Clodius ſo managed circumſtances in the ſenate, that even the creation of an *Interrex*, which was become abſolutely neceſſary, could not be effected.

On the * fourteenth of the kalends of february, circumſtances ſtill continuing in the ſame ſituation, Milo ſet out from Rome for Lanuvium; in order next day to appoint a prieſt, which was incumbent upon him to do, being dictator of the town.

His journey lay through part of the territories of Clodius, on which, about three in the afternoon, the ſervants of both parties met. A quarrel enſued; and, the maſters were ſoon after engaged. The event proved fatal to the life of Clodius, and ſeveral of his followers.

The body of Clodius was conveyed the ſame night to Rome, attended by his wife Fulvia, who mourned over his coarſe, and uſed every method to excite an inſurrection of the people. The body being placed on the roſtrum of the forum, the friends of the deceaſed harangued the audience. By theſe means the people were rouſed to a frenzy of rage. They fired the place; and involved the body, the forum, and all the adjoining courts, in the ſame conflagration.

But this, was perſuing vengeance to an impolitic extreme. The forum and the courts, were places dear to the Romans; and according to their opinion, of ſacred inſtitution. As ſoon therefore, as the city was awakened

* The nineteenth of january.

from

from the conſternation into which it had been plunged by theſe incidents; the cooler part of mankind had time and opportunity to act, and their leader appeared at their head. Milo's party then began to predominate. The burning of the forum and the courts, were urged with every aggravating circumſtance, againſt the Clodians. Milo himſelf, diſtributed conſiderable ſums among the people; and declared himſelf again, a candidate for the Conſulate.

The ſenate, alarmed on all ſides by theſe proceedings, decreed that the Interrex, the tribunes, and Caius Pompey then proconſul, ſhould provide, "NE QUID DETRIMENTI RESPUBLICA CAPERET." The forces, were ordered to be augmented all over the empire, and the utmoſt circumſpection to be every where obſerved.

THE vigor of theſe meaſures alarmed Milo; inſomuch that he ſent a ſupplicative meſſage to Pompey, offering to deſiſt from his pretenſions on the Conſulate; and, to take any other ſteps in conformity with Pompey's opinion. Pompey, with great moderation and ingenuouſneſs, deſired him to proceed without fear in whatever he thought was right; but that in the preſent circumſtances he would decline giving his opinion upon the ſubject.

THE Patrician order, greatly diſturbed by the commotions among the people, had recourſe to the expedient of creating a ſole Conſul with enlarged powers; and accordingly nominated Pompey to the Conſulate, without a colleague.

HIS firſt procedure, after the elevation to this dignity, was paſſing ſeveral acts relative to Milo's trial; which by this time, was an object in agitation. Of theſe acts, ſome might indeed be deemed, "*ex poſt facto.*"

THE Tribune, Marcus Celius, who was firmly attached to Milo's intereſt, oppoſed thoſe laws, and with ſingular juſtice. Nevertheleſs, they were

were decreed, and a new-commiſſioned court, eſtabliſhed for the trial; under forms and regulations never before practiſed in the republic. All this did not paſs without ſuſpicions of danger, both on the ſide of Pompey and of Milo; as each had ſtrong parties conſtantly in arms. Milo indeed, was ſuſpected of bearing a concealed dagger, in order to aſſaſſinate Pompey.

Cicero all this time, remained firm to Milo's cauſe; and manifeſted more courage in his perſeverance on this occaſion, than in any other particular of his life.

The Comitia being now aſſembled, the officers and judges of the new Court, were appointed. Lucius Domitius Enobarbus, a man of Conſular rank, was declared preſident, with fifty-one judges to aſſiſt him. Of which eighteen were of the order of Senators; ſeventeen of the order of Knights; and ſixteen of the Tribunitian. Pompey, as ſole Conſul, had the guard and cuſtody of the court. The choice of judges, in every ſingle inſtance, was directed by the character of the perſon; and never was a more truly reſpectable circle formed, than the judicatorial bench upon this trial. The original number of the judges appointed, was eighty-one. But permiſſion being given, to the proſecution and the priſoner, for each to ſtrike off five, from the three ſeveral orders of which the judges were compoſed; the number of ſuffrages was then reduced to fifty-one.

The proſecutors, were Appius Major, Mark Antony, and Publius Valerius Nepos. They drew their charge, for which two hours were allowed; and ſupported their accuſations by very ſtrong evidence. Cicero, was the only counſel in reply, and he was limited to three hours; of which, he made but a very indifferent uſe. The ſhouts of the Clodian faction rang ſo ſtrong in his ears, and their menaces worked in ſuch a manner upon his timidity, that his powers were abſorbed in terror, and, his uſual ſucceſs in ſpeaking failed him; the oration delivered by Cicero in Court, being ſhort, confuſed and ſcarcely intelligible. A circum-

ſtance,

ſtance, to which poſterity is indebted; that incident having occaſioned the framing of the preſent ſpeech, which is the moſt highly finiſhed piece of Cicero.

Brutus, and other men of rank and abilities, friends of Milo, wiſhed to have defended him upon this ground: "That, admitting the murder, it "was an act beneficial to the public weal," Cicero avails himſelf of this argument, but urges a ſtill more feaſible principle: "Self-defence." He allows the fact of killing; he agrees with the proſecutors in the circumſtances of the action; but, inſiſts upon a premeditate attack, originating from Clodius; and that the event therefore, was a caſualty incurred by Milo, on the firſt, and moſt juſtifiable principle in nature. To prove his aſſertion, reſpecting the attack coming from Clodius, many inſtances are adduced, of malice on his part, againſt Milo. Cicero alſo offers ſome proofs, that Clodius' intereſt would be greatly benefited by Milo's death; from thence inferring the aggreſſorſhip of Clodius, and Milo's agency to be conſtrained and inevitable.

If this kind of proof is admiſſible, the proofs of malice in Milo's proceedings, and the benefits ariſing to him by the extirpation of Clodius; are as ſtrong and as well ſupported by evidence, as Cicero's againſt Clodius.

The judges however, ſaw the caſe in a ſtill different point of view. They ſaw many juſt reaſons to conclude, that each of the parties had wiſhed the deſtruction of the other; and that they were tainted with reciprocal, and general principles of malice. The judges therefore, examined into the ſtate of the force, and the preparations on both ſides. When, finding Milo's numbers to be near ten times as great as Clodius', and many of the individuals of which his party was compoſed, to be gladiators and infamous hirelings; they concluded Milo to be the aggreſſor, in that particular encounter. Theſe circumſtances were greatly ſtrengthened, by the incident of

of Milo's party dragging Clodius from the houſe where he was carried to have his wounds dreſſed, and killing him after the fray had ſubſided. Upon the whole, the judges found Milo guilty of the murder of Clodius, and conſequently of treaſon againſt the ſtate; treaſon being annexed to the murder, by one of the laws enacted by Pompey, expreſsly for the purpoſe of this trial. Thirty-eight of the judges ſigned Milo's condemnation; and he was accordingly baniſhed to Marſeilles.

THIS cauſe was heard in the forum, on the eleventh day of april, in the year ſeven hundred and one of Rome, and the fifty-fourth of Cicero's age.

ORATION

IN DEFENCE OF

TITUS ANNIUS MILO.

ADDRESSED TO A COURT OF JUDICATURE, SPECIALLY INSTITUTED,

BY CAIUS POMPEY, SOLE CONSUL.

*REPREHENSIBLE and diſgraceful, as I am apprehenſive I ſhall appear to you, Moſt Honored JUDGES, in opening the defence of a brave man with ſigns of trepidation; aggravated as that circumſtance may appear, when contraſted with the demeanor of my noble friend, whoſe ſolicitude for the honor and ſafety of his country, ſeems to have baniſhed every ſelf-derived conſideration; yet, the ſuperior courage and dignity of mind in Titus Annius Milo, upon this trying occaſion, is I confeſs, but too viſible. Juſtice appears with ſuch accumulated terror, in the form ſhe has now adopted, that my ſpirits retract at her appearance. My eyes, the inſtruments of my fear, would gladly behold her in her ancient

* [A] NOTE I.

form, attended by the [b]accuſtomed miniſters of her train; but, in vain they ſeek her ſo attended. Armed ſoldiers occupy the ſenatorial ſeats; and that circle, whoſe appearance upon all former occaſions inſpired veneration, now ſtrikes the ſoul with diſmay.

SUPPOSE the troops which ſurround our temples, to be placed merely as a guard againſt violence. Suppoſe their object in poſſeſſing the forum, and the judgment-ſeat, to be for juſt and neceſſary purpoſes, and devoid of any deſign to intimidate the ſpeaker. Objects of terror in a general ſenſe, will nevertheleſs inſpire dread, even where they are intended as the means of ſecurity. If I could imagine they ſtood here as the enemies of Milo, I would ſubmit to neceſſity; nor vainly attempt, to raiſe the voice of eloquence, amidſt the clangor of arms. But I am rouſed from my fears, and encouraged to proceed, by the character of Pompey. His juſtice will not permit him to abandon to the fury of the ſoldier, the man whom he has delivered to the power of the law; and his wiſdom is too conſummate, to arm the raſhneſs of the multitude, with the public authority.

THIS formidable appearance therefore, theſe very [c]troops, we may preſume to be our ſafeguard. So far from reſtraining, they encourage to ſpeak; they not only promiſe an uninterrupted hearing, but they bid the orator ſpeak boldly. The reſt of the people, at leaſt, every Roman citizen, is with us. There is not, Honored Judges, a man now at-

[b] NOTE II.

[c] NOTE III.

tending,

tending, who can poſſibly view the forum from the remoteſt ſituation, but is anxiouſly waiting for the event of this trial; nor one, who is not intereſted in Milo's favor. They all conſider the fate of Rome, the fortunes of the Roman people, and their remoteſt poſterity; to depend entirely, upon your ſentence.

ONE ſpecies of men, are indeed adverſe and inimical to our intereſts. Need I mention the companions of the furious Clodius, his aſſociates in every ſpecies of rapine, incendiary and paricide? Thoſe very men, who, incited by the inflammatory [d]harangues of yeſterday, preſumed to direct your judgment; will immediately recur to you, upon this occaſion. But, ſhould their clamor in any wiſe influence your opinion, that can ſerve but as an auxiliary admonition to you, to preſerve Milo to his country. To preſerve to his country the man, whoſe attachment to you cauſed him at all times equally to contemn, the perſons and the clamors of that vile combination.

BANISH therefore, every apprehenſion of fear; and decide with intrepidity. If ever the power of doing juſtice to the generous and good, the power of judging the cauſe of well-deſerving citizens, reſided in your courts; if ever there was an extraordinary opportunity, for the members of the moſt auguſt aſſembly in the world, to confirm by their judicial conduct, that predilection for worth and honor which the whole tenor of their lives had pronounced: Now behold, the power, the opportunity, and the judges.

[d] [D] NOTE IV.

Now

Now you are to declare, whether *we, who have invariably relied on you for protection; ſhall ſink into everlaſting oppreſſion. Or whether, after ſuffering a ſeries of injuries from the profligate and abandoned, we ſhall, by a noble exertion of your fortitude, wiſdom, and virtue; riſe again, to a ſtate of freedom and enjoyment.

ALAS! my Lords, and Judges, what can words deſcribe, invention ſuggeſt, or human nature feel; more pungent and afflicting, than the ſenſations we both endure at this moment? To ſee thoſe ſervices, which a juſt deſire of reward had ſtimulated us to perform, not only unrewarded, but inſufficient to ſecure us, from the dread of puniſhment and diſgrace? My Lords, that the factious tumults and incendiary breath of ever-fluctuating councils, ſhould raiſe a ſtorm having the deſtruction of Milo for its object, does not ſurprize me; my mind preſaged as much. He protected virtue, when vice was the reigning idol. But, that his enemies ſhould ever hope to ſucceed in a regular courſe of judgment, and before the moſt illuſtrious men, ſelected from every order of the ſtate, in their deſign againſt his life, and ſtill more againſt his fame; are circumſtances, which indeed, never could have entered into my imagination.

MY LORDS, I do not mean to urge the ſervices of Milo, as a ground of defence. I ſhall not even mention his irreproachable conduct during the Tribuneſhip; nor ſhall I ſpeak of his unwearied aſſiduity, in every inſtance that could promote the good of his country; unleſs your

* [E] NOTE V.

cleareſt

cleareſt judgment ſhould be ſatisfied, that Clodius was the aggreſſor. The aggregate ſum of Milo's merits, however tranſcendent, ſhall never be uſed by me, to ſupplicate your ſuffrages. No, my Lords, were this illuſtrious aſſembly, to admit, that the life of Clodius was incompatible with the ſafety of the Roman ſtate; I ſhould perhaps even then, aſcribe our deliverance of him to the tutelary Gods of Rome, rather than to Milo. So far am I from attempting to prejudice your opinion, by foreign cauſes. But, ſhould Clodius be proved the aggreſſor; ſhould a conviction of Clodius' treachery being firſt meditated againſt the life of Milo, flaſh like lightning before your eyes. In this caſe, I beſeech, I intreat, I demand from your honor my Lords, that though every other privilege be taken from us, this one ſhould remain; indemnity in defending our lives, againſt the arms and aſſaults of our enemies.

But, before I enter upon thoſe grounds peculiar to the queſtion, permit me to reply to ſuch charges, as have been ſometimes thrown out by our enemies in the ſenate; at other times, broached by the counſels of profligate men; as well as to thoſe lately preferred by our accuſers. That thus, every error being unmaſked, you my Lords, may ſee truth without diſguiſe, and the merits of our cauſe laid bare before you. They ſay, a ſelf-confeſſed [f]homicide ought not to ſee the light. Where do theſe deep-lettered argumentators think, the charge againſt Milo is to be judged? Not ſurely, in that city, where the firſt deciſion upon a capital caſe was pronounced? I mean,

[f] [F] NOTE VI.

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the caſe of the brave [g]Horatius, who, in the earlieſt dawnings of civil polity, was acquitted by the ſuffrages of the Roman [h]Comitia; after having confeſſed, that he ſlew his ſiſter, with his own hand.

But, is there a man ſo ignorant not to know, that when an inquiſition is made of murder, it is uſual to plead the general iſſue, not guilty; or, admitting the fact, to defend the juſtice in that particular caſe? Otherwiſe, Africanus would have incurred the imputation of frenzy, for his anſwer to the ſeditious harangue of the Tribune Carbo. When queſtioned by Carbo, concerning [i]Tiberius Gracchus' death: "He was lawfully killed," ſays Africanus. If putting to death the murderer and the paricide, be a crime; to Servilius himſelf, to Naſica, Opimius, and Caius Marius; to myſelf when Conſul, and even to the ſenate in my Conſulate, ought criminality to be imputed. We are therefore, indebted to thoſe learned men, who have tranſmitted to us, though in legendary accounts, the judgment in a cauſe, where a man [k]ſlew his mother, in order to revenge the murder of his father. The ordinary judges not being agreed in his ſentence; upon an appeal to higher judgment, the great authority of the Goddeſs Minerva, pronounced his acquittal. Even the law of the [l]twelve tables, declares the lawfulneſs of killing a thief in the night, by any means whatever; and alſo by day, if he ſhould defend his villany with arms. Who then, ſhall dare to aſſert, the unlawfulneſs of killing in

[g] [G] NOTE VII. [h] [H] NOTE VIII. [i] [I] NOTE IX.
[k] [K] NOTE X. [l] [L] NOTE XI.

any

any caſe? or, who does not ſee, that the laws themſelves, have put the ſword into private hands; and decreed certain murders therein deſcribed, to ſtand upon the ground of juſtifiable homicide?

If then, there be ſituations, and doubtleſs many ſuch muſt ariſe, where murder might prove not only juſtifiable, but even neceſſary; the ſtrongeſt would be that of oppoſing an invaſion of force, by force. A ſoldier in the army of Caius Marius, in repelling a diſhonorable attack made upon his perſon by a tribune of the army, killed the aſſailant. In what light did that great commander behold the act of a man, who nobly preferred all riſk to the ſuffering of pollution? Caius Marius, diſregarding the tye of blood, for the tribune was his nephew, [m] freed the ſoldier from every apprehenſion of puniſhment, by an immediate and honorable acquittal. When thus the ſpoiler, and the lurking aſſaſſin, fall in their own ſnares; who can impugn the juſtice of their fate?

Of what uſe, that honorable band? And why girt with ſwords? Unlawfully girt, I ſhould ſay, if, in no caſe, they might lawfully uſe them? But we have already ſeen, that the law does juſtify the uſe of every weapon, to repel unjuſt attacks. This, my Lords, is not a written nor promulged, but an inbred law; received neither from books, from tradition, nor information; but from nature alone. The law I now quote, is imbibed with our firſt ſenſation of vital air; nouriſhed by an in-

[m] [M] NOTE XII.

herent property in man; and, coeval with his exiſtence. Not from learned expoſitors, but from our own native feelings we receive the impreſſion; and from conſciouſneſs, not from conviction, it is adopted. Hence, we are plainly authorized to uſe all poſſible means for our ſafety, when the ſword of an enemy, or the knife of the robber, is at our throats. Force of arms, renders ſtatutes nugatory. Nor, do the laws themſelves, expect from an individual; the ſacrifice of life, to legal forms.

THE [n] law againſt murder, undoubtedly prohibits, not only the crime, but the being in a condition to commit that crime; the carrying of a weapon. Yet, that very law, is ſo wiſely and juſtly framed, as tacitly to allow the right of ſelf-defence. For, in an enquiry after murder, the cauſe of the murder, and not the mode of killing, is to be ſought; nor, is the carrying of the weapon, to be adjudged the cauſe of the murder. Premiſing this, my Lords, I am not afraid of being able to eſtabliſh my defence, if your Lordſhips are pleaſed to admit as a principle, and to remember, what I think you cannot poſſibly refuſe, or forget:—"The lawfulneſs of murdering the aſ-"ſaſſin, who lurks to deſtroy you."

I AM next, to anſwer the enemies of Milo; who have preſumed to interpret the [o] ſenate's declaration, reſpecting the murder of Clodius, to ſignify treaſon committed againſt the ſtate. But you my Lords, can bear witneſs,

[n] NOTE XIII.

[o] NOTE XIV.

that

that Milo's conduct was as publicly as zealouſly, approved by the ſenate. How often indeed, and with what univerſal approbation, was our cauſe agitated in the preſence of that auguſt aſſembly? With what generous and unreſtrained applauſe? And in which of the ſenate's moſt numerous aſſemblies, did the diſapprovers of Milo's cauſe exceed four, or, upon any occaſion five? Of theſe truths, the paltry harangues of that [p]Salamandrine Tribune, are ſufficiently declarative; who daily, and inviduouſly exclaimed, that you, my Lords, had ſurrendered your judgment to my diſcretion. I accordingly, was to be execrated for obtaining ſuch power: yes, I ſay, power. If you diſlike to mention the true appellations, as "well "merited influence, exerted in a juſt cauſe;" or, "favor "with good men, in return for a life of unwearied ſer-"vices, to my country;" let my ſucceſs therein, be called power, if you pleaſe. I am ſatisfied in poſſeſſing your countenance and favor, under any denomination; provided, I am enabled to uſe them, in defence of the virtuous, againſt the fury of the abandoned.

But this [q]court, whoſe authority I am far from impugning, was no inſtitution of the ſenate. We had laws and courts, previouſly exiſting, competent to the judging of every cauſe. Nor, was the ſenate ſo moved by the death of Clodius, to think of any new mode of inquiſition, upon his account. And who could have imagined, that the ſame aſſembly which was denied the power of commiſſioning a court to try Clodius, upon a charge of

[p] [P] NOTE XV.

[q] [Q] NOTE XVI.

the blackeſt inceſt; ſhould be ſo ready to join in the inſtitution of one, upon the occaſion of his death? Wherefore alſo, did the ſenate decree the death of Clodius, as well as the burning of the court, and the attack upon Lepidus' houſe; to be acts of treaſon againſt the Roman people? Becauſe, in a free government, every act of violence is ſaid to be offered to the ſtate; though the immediate cauſe might relate to individuals only. Such a kind of defence, how little ſoever deſireable, in moſt caſes; is yet neceſſary in ſome.

In that light, we ought to view the murder of the Gracchi, and even the ſuppreſſion of Saturninus' mob; for, though all there was agitated for the good of the republic, the republic nevertheleſs, in a legal ſenſe was wounded. For the ſame reaſon, when preſentment was made of a murder committed on the 'Appian way, I was of opinion that the perſon, who acted on the defenſive, had not done any thing againſt the ſtate. However, as there was a charge of premeditate malice preferred againſt him, I admitted the fact, though I reſerved the inqueſt, for a regular and proper judicatory. And had the furious Tribune, permitted the ſenate to exerciſe their own judgment on the preſent occaſion; this court, never had exiſted. For, the ſenate determined, that though Milo's trial ſhould be attended with extraordinary ſolemnity; yet, that the principles, of eſtabliſhed juſtice ſhould be inviolably preſerved. The queſtion was divided, by whom I ſhall not ſay; for I will not undertake to be the public

' [R] NOTE XVII.

recorder

recorder of infamy. However, by corrupt influence, thus fell the authority of the ſenate.

THE bill preferred by Pompey, refers no doubt, to the fact, and the motives. But, in reſpect of the firſt, the killing of Clodius upon the Appian way; what does the bill decree? That the killing of Clodius ſhould be tried. What ſhould be tried? The fact. Nobody denies the fact. By whom committed? That is confeſſed. Pompey however, ſaw that confeſſion of the fact, did not at all preclude a legal defence of that fact. On the contrary, when that was confeſſed, he knew there was no way of giving ſcope to a plea of juſtification, but by trial. From Pompey's love of juſtice therefore, my Lords, you are now aſſembled, and in this manner; holding in your hands, the ſaving or the condemning letter, that gives life, or death, to Milo.

BUT, ſo far am I from inſinuating that any part of Pompey's conduct points to the diſfavor of the priſoner; I would beg leave to propoſe that conduct, as a model for your own. The very circumſtance of his granting a trial after confeſſion of the fact, plainly indicates that inquiſition is now not of the fact, but of the law. Or, in other words, whether the killing of Clodius be murder, or, juſtifiable homicide? After this, let Pompey himſelf declare, whether we are to conſider the preſent mode of proceſs, as a voluntary tribute to the memory of Clodius; or, as a temporary expedient, ſuited to the critical circumſtances of the caſe.

[S] NOTE XVIII.

WHEN

WHEN [t]that truly noble ſenator and Tribune, Marcus Druſus, his country's champion in the ſenate, at that time, the almoſt only guardian of her rights, and uncle of the brave Marcus Cato, one of our judges, was killed in his own houſe: Did the people then preſume to interfere, even in ſuch a caſe of abhorred violence, or did the ſenate ſee the neceſſity of inſtituting any new courts, on that occaſion? The grief, the conſternation of the city, at the fall of Publius Africanus, who was murdered in the hour of repoſe, has been moſt feelingly deſcribed to us by our forefathers. What eye, alas! that ſtreamed not then with ſorrow? What breaſt, that burned not with indignation, and the moſt conſuming grief? To behold the man they wiſhed to immortalize, fall by ſuch an atrocious paricide, long before he had run the courſe of nature? Was the enquiry into the murder of Africanus, made in any new form of trial? Certainly not. And why? Becauſe reſpect of perſons, is loſt in the malignity of a crime.

THERE is, no doubt, a conſiderable difference in life, between the characters of the great and the vulgar; but the murder of either, abſtractedly conſidered, is an equal offence to ſociety, and by the laws held puniſhable in the ſame degree. The friends of Clodius, will perhaps inſinuate, that the crime is aggravated, in proportion to the dignity of the perſon murdered. Indeed, they have frequently aſſerted, that the circumſtances attending Clodius' death were rendered more atrocious, by happening on ſo

[t] NOTE XIX.

glorious

glorious a record, of his own family. As if their worthy anceſtor Appius Cecus, had formed that road not for the benefit of the people; but, as a licenſed theatre, whereon his deſcendents might act with impunity, every ſpecies of wickedneſs.

On the very ſame road, when Publius Clodius, killed that accompliſhed Roman knight Marcus Papirius; no puniſhment fell upon the murderer.[u] What ſignified the trifling ſacrifice of a Roman knight, upon the monuments of a noble houſe? Alas! what bloody ſcenes have proceeded, from the houſe of Appius! The murder of a brave and innocent man, was no ſtain, no reproaches iſſued; but now, that the blood of a murderer and a villain, has been juſtly ſhed, the act muſt be reprobated. But, wherefore do I mention theſe circumſtances? Was not the ſlave of Clodius detected, in the temple of Caſtor, with a paricidal [w]dagger in his hand? Was he not planted there by the direction of Clodius, with a deſign to bury his weapon, in the heart of Pompey? And did he not confeſs the crime, the dagger yet in his hand? Did not the forum, the ſenate, and the public, on that occaſion deplore, the abſence of Pompey; while he, inſtead of applying to the laws for his protection, ſheltered himſelf within his gates, and behind his own walls? What law paſſed thereupon? What new court was eſtabliſhed? None. And yet, the perſon, the time, and the occaſion, were all of that importance, to demand the moſt rigid enquiry. A traitor was found poſted in the forum, in the very porch of the ſenate, for

[u] NOTE XX.

[w] NOTE XXI.

the

the purpoſe of murdering the man, on whoſe life depended the ſafety of Rome; and at a time ſo critical, that his fall muſt have been attended not only with the deſtruction of this city, but the abſolute ruin of the commonwealth. To what then, muſt we attribute the ſilence of the laws in ſuch a caſe? To the miſcarriage of the attempt? As if the intention of committing a great crime, becauſe not perpetrated, was no object of a legiſlature. We have leſs to mourn, no doubt, but not leſs to puniſh, by the fruſtration of that dire attempt.

How often my Lords, have I been obliged to ſeek my ſafety in flight, from the violence and machinations of Clodius' cruel deſigns? Had not my own, or the republic's good fortune, preſerved me in theſe exigencies; who is there among you, would have demanded a new form of trial on my account? What preſumption and folly, to compare a Druſus, an Africanus, a Pompey, or a Cicero, with Clodius? The loſs of ſuch men may be eaſily borne; but, the loſs of a Clodius, pierces to the ſoul. "The ſenate are in tears; the equeſtrian order "abſorbed in grief: the city ſtruck with old age; the "municipal towns abandoned to ſorrow: the colonies ſuf-"fering a conſternation of woe; and nature, haraſſed "with bitter lamentations, deploring in vain, the meek, "the benevolent, the incomparable Clodius." Not that theſe bewailings, were what influenced Pompey to inſtitute a new mode of trial. Pompey, is a man indued with a moſt extenſive mind; with a penetration more than human. He ſaw this caſe in a comprehenſive point of view. He reflected, that Clodius had been his enemy, and that Milo

was

was his friend. He feared, that the ſincerity of his lately renewed friendſhip with Clodius might be queſtioned, if he appeared forward to join in the general joy. He ſaw many other reaſons beſide, for eſtabliſhing this court. But, my Lords, he was moſt influenced, that no ſeeming ſeverity in his conduct, ſhould prevent a juſt and intrepid deciſion upon the cauſe. If he had formed other deſigns, he would not have ſelected for *judges, thoſe great luminaries of the higheſt orders of the ſtate; as he has now done.

REPORTS have been propagated, that in this appointment of the judges, Pompey made an invidious exception of my friends. But I acquit that great and juſt man, of ſuch injurious partiality; nor indeed, could he make ſuch an invidious diſtinction, while he followed the maxim, of ſelecting men of probity and honor. My intereſt, my Lords, is not bounded by my perſonal friendſhips. Thoſe of an individual, can never be very extenſive; becauſe, flowing through the channels of ſocial intercourſe only, the cuſtom of living, neceſſarily renders them circumſcribed. If Milo and myſelf, have any intereſt in the ſtate, the cauſe has been a perſuit of the common good; which extended our connexions with worthy men. Now Pompey having determined, and honorably for himſelf, to govern his choice by the characters of the men; he could not therefore, ſelect the virtuous and the wiſe, without including my friends.

THE appointment of you, Lucius Domitius, to be preſident of the new court, is another convincing proof, that

* [X] NOTE XXII.

juſtice untinctured with ſeverity, honor, and truth, were the objects he ſought. The law provides, that a preſident ſhould be of Conſular dignity. And why? Becauſe men of high rank, are leſs likely to be intimidated by the levity of the populace and the rage of the factious, than inferior perſons. You therefore, from among the Conſulars, he ſelected; you, who from your earlieſt youth had given ſuch ſhining proofs, of a contempt of popular influence. Could he diſcriminate with greater judgment?

I NOW haſten to the queſtion of law. For, if the confeſſion of the fact, is not without a precedent, if the ſenate approves of the proceeding, if the author of the ſtatute, ſeeing that the fact was clear, yet appointed a preſident and judges, ſo competent to decide upon the moſt ſubtle caſe; we may infer that the queſtion of law was the point, the great founder of this court, intended to be tried. Nothing then, is before us, my Lords, but to enquire; whether Milo or Clodius formed the treacherous ambuſh, ſo fatal to the latter? And, that the arguments I ſhall hereafter uſe, may come before you, in a more intelligent and perſpicuous manner; I beg leave to requeſt your earneſt attention, while I lay before you a ſhort ſtate of the fact.

PUBLIUS CLODIUS, judging from the proceedings of the Comitia of the former year, that he ſhould not be able to poſſeſs the Pretorſhip many months; and being reſolved, to obſtruct and oppoſe the public welfare upon every occaſion, ſuddenly declined the office of Pretor. Differing from the reſt of his fellow-citizens, who conſidered this office

office as a ſtep to higher advancements; and finding, that his evil deſigns could not be promoted, with a citizen of ſuch conſummate virtue as Lucius Paulus, for his colleague; he receded from his duty at that time, in hopes of poſſeſſing the office the ſucceeding year. He fancied he ſhould then be more effectually able to diſtreſs the people, by a longer duration of his power. Religious ſcruples, as he declared, had no weight with him. The true reaſon being, the overthrow of the republic, by more aſſured means.

About this time the almoſt-univerſal voice of the Roman people, called for Milo's advancement to the Conſulate. And, Clodius plainly diſcerned, in how great a degree the election of Milo would cramp and diſappoint, the wicked deſigns he had planned for execution, during his pretorſhip. His firſt ſtep therefore, was to join the intereſt of the [y]candidates oppoſed to Milo; but in ſuch a manner, to direct their canvaſs, and govern all their proceedings. He aſſerted indeed, that the whole power of the Comitia, reſted upon his ſhoulders. [z]The tribes were next convoked. He forced his authority upon them, and ſchemed the idea of a new colony; into which he enrolled, the vileſt of the people. But, the greater his acquiſitions became that way, the leſs his affairs proſpered elſewhere. And at length, when that arch-villain ſaw the election of this brave man, the man whom his malignant ſoul deteſted, was certain; when he found, not from rumor only, but from the ſurer teſtimony of a majority of ſuffrages, that Milo muſt be your Conſul; then, he firſt formed his curſed deſign upon

[y] [Y] NOTE XXIII. [z] [Z] NOTE XXIV.

the life of Milo. Then, he began to meditate a plan for Milo's deſtruction; and ſoon after, broached his intentions to the whole world.

Now, the public foreſts were to be depopulated; and thoſe ruſtic [aa]barbarous ſlaves, which he had drawn from the [ab]Apennines to haraſs and ravage Etruria, to become as you ſee, the inhabitants of this poliſhed city. All this was acted, without a ſhadow of concealment; on the contrary, he induſtriouſly reported, that if he could not prevent Milo's ſucceeding to the Conſulate, he could however, prevent his enjoying the office. Milo's life, he boaſted, ſhould pay for his ſucceſs: and, intimations to this purpoſe, were frequently given by Clodius, in the ſenate; and at other times, in public aſſemblies. Being aſked by the noble Favonius, to what purpoſe all his violences tended, while Milo lived; what was his anſwer? My Lords, [ac]he told Favonius, that in three, or in four days at moſt, Milo ſhould periſh. And this we have, upon the authority of Favonius, who immediately related the particulars to Marcus Cato.

In the mean time, Clodius knew that Milo muſt leave Rome, on, or about the twentieth of january, to go to [ad]Lanuvium; by reaſon of an indiſpenſible neceſſity he was under, of repairing thither on that day, to perform the legal and ſolemn rites, attending the appointment of a prieſt. Clodius however, left Rome the day before; in

[aa] [AA] NOTE XXV. [ab] [AB] NOTE XXVI.
[ac] [AC] NOTE XXVII. [ad] [AD] NOTE XXVIII.

order,

order, as the event has too plainly proved, to render the ſacrifice of Milo more complete, by ſhedding the blood of his enemy on his own grounds. So ſtrong indeed, was the impulſe of Clodius' fury, that he ſuffered a ſeditious meeting appointed for that day, and where his fiery ſpirit was engaged to animate the factious members, to want his preſence. A clear proof, that his buſineſs with Milo was ſo preciſely determined, in regard to time and place, to baniſh every other conſideration from his mind.

WHEREAS Milo, on the morning of the fatal day attended the ſenate, where he continued until the buſineſs of the day concluded; and then returned home. Here, after changing his [ae]ſhoes, and other parts of his dreſs, he remained waiting ſome time, for his wife. He then left Rome; but at ſo late an hour, that Clodius had he deſigned coming to the city that day, might have arrived before his departure. Clodius however, on horſeback, meets him on the road. But Clodius, had with him, neither his chariot, nor his [af]Grecians, who were generally a part of his train, nor had he the ſmalleſt incumbrance of equipage. What ſpeaks more plainly than all the reſt, he was [ag]unaccompanied by his wife. On the other hand, the traitor before you, muſt no doubt, be going upon a murderous deſign: ſhut up in a carriage, his wife by his ſide, muffled in a cloke, and ſurrounded by a croud of feeble boys and timid girls.

[ah]ABOUT three o'clock, on the nineteenth of january,

[ae] [AE] NOTE XXIX.
[af] [AF] NOTE XXX.
[ag] [AG] NOTE XXXI.
[ah] [AH] NOTE XXXII.

Milo

Milo approaching Clodius' lands, firſt diſcerned his enemy. Preſently, an armed body of Clodius's party, ruſhing from a riſing ground, began the attack. Milo's driver, fell in the firſt conflict. Seeing this, Milo inſtantly quitted the carriage, and throwing off his cloke, determined not to fall inglorioufly. The party led by Clodius, drawing their ſwords, haſtened to the carriage, thinking to attack Milo behind: while another party, concluding from thence, that Milo's fate was ſecure, began to ſlaughter the ſervants who followed. Some of the foremoſt of Milo's ſervants, who had been moſt eager to defend their maſter, loſt their lives in the firſt onſet; while others farther diſtant, ſeeing the conflict ſtrongeſt about the carriage, ſtood aloof for ſome time, from the principal ſcene of action. But, when they heard from Clodius' own mouth, that their maſter lay breathleſs on the ground; in that moment, my Lords, ſwift vengeance nerved their hitherto feeble arms. Then my Lords, and not till then, the ſervants of Milo,—I ſpeak ſimply to the fact,—without his orders, without his preſence, or participation; performed an act, which will crown their memories with honor, ſo long as fidelity to a maſter, ſhall be deemed virtue in a ſervant.[ai]

My Lords, this is a true, ſimple, and unadorned relation, of the fact. Here you ſee, a traitor caught in his own ſnares; a ſuperior force, vanquiſhed by the ſteeled arm of juſtice; and virtue, triumphing over deſperation. My Lords, I ſhall ſay nothing of the conſequences attend-

[ai] [AI] NOTE XXXIII.

ing

ing this caſe, either in reſpect to the republic, to yourſelves, or to every good man. Nor, ſhall I attribute merit to Milo, becauſe he was ſo fated; that he could not deliver himſelf from danger, without extricating his country from far greater. If the circumſtances attending the fact, do not juſtify him; nothing I can ſay, will have effect. But, if reaſon preſcribes to the inſtructed, neceſſity to ſavages, cuſtom to nations, and inſtinct to brutes; that whenever violence is levelled againſt their bodies, their reputation, or their lives, ſuch violence may be lawfully repelled: then I will ſay, my Lords, that you cannot criminate Milo. At leaſt, without ſubjecting every man, who may thereafter chance to fall into the hands of the thief, or the aſſaſſin, to this dreadful alternative: "Of "periſhing, either by their weapons or your ſentence." But if Milo, my Lords, could have imagined himſelf in ſuch a dilemma, how much better for him, to have yielded his throat to the ſword which had ſo often thirſted for his blood, than to encounter death by your ſentence for reſiſting? On the other hand, if you with one voice, reject the idea of ſuch a horrid deciſion, the queſtion then to be brought before you, is not whether Clodius was killed, for that is confeſſed; but, whether he was killed lawfully, or unlawfully?—A kind of queſtion often brought before your courts.

In the preſent caſe, treachery has certainly been practiſed. The ſenate alſo, have as certainly, adjudged the crime to be treaſon againſt the ſtate. From whom this treachery proceeded, is not yet aſcertained. To diſcover the author, the object of this new-commiſſioned court. The

The ſenate, has hitherto noted the crime only, not the man. And Pompey has brought us here, not to aſcertain a fact, but to expound the law. Nothing therefore now remains, but an enquiry, to whom the treachery ſhould be imputed? That, I will venture to ſay, is all at preſent before you. The conſequence, if you impute the treachery to Milo is, that he ſhould be puniſhed; if to Clodius, that Milo ſhould be acquitted.

You will aſk, by what ſpecies of proof, Clodius' evil deſigns upon Milo, are to be proved? My Lords, the daring, infamous wretch, Clodius, had many purpoſes to ſerve, many hopes to gratify, and a great cauſe depending, upon the death of Milo. The Caſſinian mode therefore, "To WHAT PURPOSE?" applies exactly here. For, though no emoluments whatever, are ſufficient to influence good men to acts of injuſtice; the ſlighteſt temptations, will adduce the wicked. Whereas Milo's death, was fraught with the moſt favorable conſequences to the views of Clodius. By the removal of Milo, Clodius' Pretorſhip was freed of a Conſul, whoſe vigilance nothing could elude. And he had the flattering hope, of ſerving that office under other Conſuls, whoſe connivance if not their aſſiſtance, might enable him to baffle the republic, and, unmoleſtedly execute his furious projects. For, he judged that perſons under ſuch great obligations to him, as thoſe muſt be, would make no efforts to reſtrain his licentiouſneſs; even had their power been equal to the undertaking. Beſide, he knew, that let their ſentiments be ever ſo unfavorable to him; they were not a match for one

one ſo hardened in confederate villany, and ſo deeply practiſed, in all the arts of deſtruction.

After all, my Lords, are you become ſtrangers in the city you govern? The reports, which have ſo long ſtunned the multitude, have they never reached your ears? Are you alone, my Lords, ignorant of thoſe laws? Laws, did I ſay? Let me rather ſay, of thoſe torches, thoſe peſts of the republic, with which Publius Clodius deſigned to brand, and curſe us? Produce, [ak]Sextus Clodius, produce I ſay, that venerable code of laws; which you are reported, to have borne away from [al]Publius' houſe like another Palladium, amidſt the rage of arms, and midnight riot. Produce, Sextus, that noble ſyſtem which Publius framed, and you ſo gloriouſly preſerved. Exhibit that illuſtrious code, for the good of the Tribuneſhip; if indeed, you can find a tool, that will adopt ſuch a ſyſtem.

But, Sextus I ſee is moved. How he darts his fierceſt looks againſt me! The ſame he uſes, when he ſeems to threaten the extermination of mankind! His countenance inflames! A blaze iſſues from this great luminary of our courts, that confounds me! I am moved; but, not with anger. No, Sextus, you who puniſhed my enemy with greater ſeverity than my nature required; you, who thruſt the bloody corſe of Clodius, out from his houſe, to be a public ſpectacle; you, who abandoned it, half conſumed by unhallowed wood, ſtripped of images,

[ak] [AK] NOTE XXXIV.

[al] [AL] NOTE XXXV.

without pomp, oration, or any other [am]funeral obſequy, to be the prey of every night-prowling beaſt; you, who have done all this, though I ought not to commend the deed: yet, being practiſed on my enemy, and a villain, the action cannot ſurely, deſerve my reſentment.

You muſt have ſeen, my Lords, that every period of Clodius' Pretorſhip, threatened an innovation upon your conſtitution; unleſs the Conſulate was placed in the hands of ſome man of ſingular courage, and powerful authority. And when, as with one voice, the Roman people declared for Milo; every man knew in that election, he was fixing the ſafety of his country, and freeing himſelf from all apprehenſions of danger. But now, alas! that Clodius is dead, and your apprehenſions are diſperſed; Milo can ſcarcely ſecure to himſelf the Conſular dignity. The glory he acquired, and which hourly increaſed by his ſucceſsful oppoſition to the Clodian faction, is now no more. Clodius is removed, and you, my Lords, are thereby freed from the dread of an uſurper. The exercitations of Milo's virtue and fortitude, are now rendered unneceſſary; his intereſt in the ſtate is extinguiſhed; and, the fountain of his glory, dried up. My Lords, while Clodius lived, Milo's election to the Conſulate, was without a doubt; but now, his ſucceſs is become a circumſtance of the greateſt uncertainty. The death of Clodius therefore, ſo far from being an event beneficial to the intereſt of Milo; threatens as you ſee, the entire diſſolution of his hopes.

[am] [AM] NOTE XXXVI.

THE

THE tongue of ſlander may perhaps inſinuate, that Milo's anger and reſentment predominating; he uſurped the right of avenging his own wrongs, and became the puniſher of his own injuries. But ſuppoſe, my Lords, I ſhould prove to you, not that theſe were powers more ſtimulous in the breaſt of Clodius, than of Milo; but, that they raged in the one, and had no exiſtence in the other; could more be expected? And why, let me aſk, ſhould Milo bear enmity againſt Clodius, the foundation and ſupport of his glory; except from that general principle, which leads mankind to the abhorrence of a villain? But, there were many reaſons, why Milo ſhould prove ungracious in the eyes of Clodius. Firſt, as he was my defender, and the protector of life. Afterward, as he was the oppoſer of Clodius' dangerous deſigns; and the ſole check to his lawleſs arms. But, his greateſt crime was, being the public accuſer of Clodius. For Clodius always, during the life of Milo, was liable to be convicted upon the Plotian law. And how, do you apprehend, ſuch a ſpirit as Clodius' muſt have borne this? With what indignant feelings? I might indeed ſay, with what juſt feelings; for, being natural to a bad man, they become, in ſome ſort, juſtifiable?

LET us now enquire into the character of Clodius; to ſee what light that may throw upon the cauſe. The reſult of the enquiry however, will avail but little; unleſs, proof is produced that Clodius was an enemy to violence; and, that Milo carried all his meaſures by ſuch means. But, was this the caſe, my Lords? When forced myſelf, to bid a ſorrowful adieu to you, and Rome; did I fear to

meet the judgment of my country; or were the ſlaves, the arms, the aſſaults of Clodius, the true cauſe of my retiring? For, where was the juſtice of my recal; if my baniſhment had not been unjuſt? Clodius had, I do not deny, fixed a day for my trial; he had impoſed a fine alſo, and declared me a traitor. But, do you my Lords, think that a charge, which reflected infamy on yourſelves, and teemed with the groſſeſt injuſtice toward me; was ſuch an one, as I ſhould have feared to meet in judgment? Not ſo, my Lords. I valued the lives of my fellow-citizens, which had been ſo often preſerved by my counſels, at too dear a rate; to yield them a ſacrifice to the ſwords of needy wretches, and profligate villains. This, be aſſured, was the true, and the ſole cauſe of my receſſion from Rome.

My Lords, I had ſeen [aa]Quintus Hortenſius, the light and ornament of the preſent age, in attempting to aid me, nearly expire under the aſſaſſinating hands of baſe ſlaves. Caius Vibienus alſo, that excellent ſenator and beſt of men, who was in his company, received his death-wound at the ſame time, and by the ſame hands. But, when did Clodius ſuffer the dagger bequeathed to him by Catiline, to remain idle? He aimed that dagger at me; but my Lords, I would not expoſe you to the danger of warding off the blow. Even the precious life of Pompey, was eſſayed. But, that weapon was more ſucceſsfully directed to Papirius; as the blood which ſtained the Appian way, the monument of the Appii, will better expreſs. The very ſame dagger, which had not been for ſome time

[aa] [AN] NOTE XXXVII.

levelled

levelled at my breaſt, was again pointed there; and, in the [ao]*Via Sacra* lately, as you well know, I narrowly eſcaped its murdrous point.

Is there any thing ſimilar to this, in the character of Milo? When, my Lords, did he make uſe of force, except in defence of your oppreſſed city; upon the oppreſſor Clodius' openly contemning all authority? If his life, had been the object of Milo's wiſhes; what frequent, what glorious occaſions were preſented, of gratifying thoſe wiſhes? In the [ap]attack made upon Milo's houſe, and when the inſult was offered to his Houſehold Gods by Clodius and his ruffians, had their chieftain fallen;—who would not have applauded the act? If in the deſperate attack upon that ſingularly brave and good man, Publius Sextus, the colleague of Milo, the life of Clodius had paid the forfeit; is there any man would have condemned ſo juſt an exaction? Or, when the excellent Fabricius, propoſing a law for my recal was abuſed, and the forum ſtreamed with Roman blood: if Milo had then given the blow? Suppoſe he had ſtruck home, when the houſe of Lucius Cecilius, that juſt, that brave Pretor, was aſſailed: who would have arraigned the act? Or again, when the law of [aq]my recal paſſed; when the whole empire concurred in decreeing the merit of my deliverance to Milo? My Lords, had Milo then conſigned the villain Clodius to everlaſting perdition; Rome herſelf, would have recorded the deed, as an eternal memorial of her own glory.

[ao] [AO] NOTE XXXVIII. [ap] [AP] NOTE XXXIX.

[aq] [AQ] NOTE XL.

THE

THE Conſulate, was at that time, in the hands of the brave, the illuſtrious Publius Lentulus: Lentulus, the ſcourge of Clodius, the puniſher, of his crimes, the patron of the ſenate, the aſſerter of the ſenate's prerogatives, the guardian and actor of its reſolves; and, the reſtorer of my ſafety. Seven Pretors, and eight tribunes of the people, adverſe to Clodius; eſpouſed my cauſe. Pompey alſo, the author and guardian of my return, whoſe endeavors were followed with the important and honorable revocation of the ſentence of my baniſhment, by an unanimous decree of the ſenate; he was Clodius' enemy. Pompey indeed, firſt moved the Roman people in my favor. And, when the decree of Capua paſſed, Pompey firſt gave thoſe ſigns of encouragement to the people, then ſoliciting and imploring his protection of me, which united all Italy in rendering me to my country. The univerſal voice of the people, at that time, raged againſt Clodius; in a proportion to the love which they manifeſted for me. Such was the ardor of their affection for me, that I will venture to ſay, the murder of Clodius would not have been at that time, conſidered as an object for puniſhment; but rather, an act deſerving their beſt rewards. Still, Milo perſevered in ſentiments of moderation. Twice, he cited Clodius to anſwer judicially; but never uſed force.

BUT, why do I mention theſe circumſtances? See the conduct of Milo, diſpoſſeſſed of all offices, appearing in a private capacity; to anſwer the accuſations of Clodius. For, when Pompey himſelf, urging the [ar]defence of Milo,

[ar] [AR] NOTE XLI.

was

was aſſaulted upon the trial; who will deny, that this was not only a convenient, but, a juſt occaſion, of ſilencing Clodius, that diſturber of the public peace? And lately, when Mark Antony erected a ſtandard for the reſort of all good men; when that noble youth, with unparalleled bravery, took the whole weight of our defence upon his own ſhoulders, and kept aloof that monſter, which our courts of juſtice had in vain, attempted to confine; when Clodius, flying from the juſt vengeance ready to overtake him, concealed himſelf under the favor of a dark ſtaircaſe: Immortal Gods! how favorable the juncture; how proper the ſituation; for eaſing the world of ſuch a burthen? What applauſe to Milo, in the execution; what glory to Antony, in the event? How often alſo, when the Comitia was held in the open field, has Clodius lain at the mercy of Milo? When attempting to force the Comitia's boundaries, with ſwords and miſſile weapons, prepared for the purpoſe, the appearance of Milo penetrated his ſoul with fear, and he fled with the utmoſt precipitation to the Tyber. Did not every honeſt Roman then wiſh, that the undaunted courage of Milo, had been leſs tempered with humanity?

After this, muſt we ſuppoſe that Milo, regardleſs of an opportunity, when all mankind favored him; purpoſely ſought one, wherein he muſt inevitably meet with oppoſition? That, when the time, the place, the circumſtances, all juſtified him, he dared not ſtrike; and yet, was forward to revenge, when the attack was ill-timed, injudiciouſly ſited, and, at the greateſt riſk of his life? At a time too, when he was a candidate for the higheſt honors

of

of your ſtate, and the day of his election approaching? "A day, when the proudeſt man, inevitably feels the fears, the indignation, the ſolicitude, inſeparable from a ſupplicant? A day too, when, not only public reproach is let looſe, but the whiſper of ſlander, is alſo buſy in its attacks? When the loud voice of rumor, however falſely reporting, however unjuſtly accuſing, ſhakes us with horror? When every word appals, every eye darts venom? Nothing indeed can be ſo ſoft, ſo tender, ſo variable and flexible, as the ſentiments of our fellow citizens on ſuch occaſions. They not only brand a man with his real faults; they degrade even his merits into crimes.

PREMISING ſo much, can you imagine that Milo, ſhould upon the day he had ſo long languiſhed to ſee, and on which all his hopes of public favor reſted; think hands ſtained with recent blood the propereſt to implore, or a tongue confeſſing the guilt of murder, the moſt eligible to ſolicit your ſuffrages? This can never be believed of Milo; however conſonant to Clodius' ſituation. Milo once removed, the way to abſolute power was open to Clodius. For, who my Lords, is ignorant, that the hope of impunity is a ſtrong temptation to the commiſſion of evil? And in which of the competitors might this hope be ſuppoſed the ſtrongeſt? In Milo, who immediately flies to your judgment, upon the commiſſion of an act of unavoidable neceſſity, if not, of eminent juſtice; or in Clodius, who ſo thoroughly contemned all judgments and penalties, that nothing came recom-

" [AS] NOTE XLII.

mended

mended to him, "which did not contravene the principles of nature, or the law of the land?

But, why ſhould I argue? Why continue the diſpute? Of you, brave and honourable Petilius; of you, Marcus Cato, whom the fates, ſurely [au]by divine intendment, created for the ſenate; of you both I aſk, whether Favonius did not, before the death of Clodius aſſure you, Clodius had declared, that before three days elapſed, Milo ſhould periſh? Four days after making this declaration, my Lords, he attempted the execution. As he did not heſitate to diſcloſe his intentions; can you, my Lords, heſitate, on whom to fix the guilt? But, you will aſk, how Clodius ſhould be able to fix a certain period? I have already accounted for that. He could not be ignorant of the day, appointed for the anniverſary ſacrifices at Lanuvium; he knew that Milo, muſt of neceſſity ſet out for Lanuvium, at, or about that time; and he was reſolved to ſeize the opportunity.

But, how did this coincide, in reſpect to other concerns of Clodius? On that very day, a diſtracted aſſembly was to be put in motion by a hireling Tribune, a wretch of his own creation. And would Clodius do you think, have been abſent from Rome on ſuch a day, a day when ſedition was raging throughout the city, unleſs to execute a piece of more precious miſchief elſewhere? Here is you ſee, a public manifeſt reaſon, for his being at Rome; but there was none for his leaving the city. Now, Milo's ſtay at

[at] NOTE XLIII.

[au] NOTE XLIV.

Rome, was impoſſible; there was not only a reaſon, but an inevitable cauſe, which compelled him to go. And as his rout was known to Clodius, we ſhould aſk, whether Clodius' being on the road, was a circumſtance known to Milo? I would firſt enquire, how Milo was to gain that knowledge. A queſtion you cannot fairly put, in reſpect to Clodius. His friend, Titus Patinas, had there been no other ſource of information, was a certain channel, to convey the intelligence of what was to be done at Lanuvium that day. But, ſuch was the general notoriety of the fact, there was not a perſon in that city, who could not have informed him of the circumſtance.

In regard to Clodius' return; how was Milo to procure information? Admit that he enquired, which I preſume to be an extenſive conceſſion; admit alſo, what my friend Arrius has ſaid, that he had corrupted a ſlave. Let us however, read the depoſitions of the witneſſes before you. What ſays Caius Caſſinius, ſurnamed Scola, an Interamnian, the intimate companion and follower of Clodius; the ſame Caſſinius, who formerly ſwore to Clodius being at Interamna and at Rome, the ſame hour? Why, he tells you in evidence, that Clodius intended to paſs the whole day at Alba; but a meſſenger ſuddenly arriving with intelligence of the death of Cyrus the architect, occaſioned his reſolve of returning inſtantly to Rome. Caius Clodius, another of Publius Clodius' aſſociates, confirms thoſe circumſtances; one inference therefore, is clearly drawn from their evidence. They totally acquit Milo of a deſign to meet Clodius on the road;

road; for chance alone, as you ſee, directed Clodius' proceedings.

In the next place; and why ſhould not I take this opportunity of doing myſelf juſtice? Thoſe who manage this proſecution have aſſerted, that though the fact of murder was committed by Milo, the previous arrangements were made, by a perſon of more conſiderable rank. My Lords, I need not tell you, that inſinuation is levelled at me. Thoſe low, profligate men, would ſtigmatize my character, with the atrocious crimes of rapine and murder. But, they ſtand convicted of falſhood by the teſtimonies of their own party; for theſe agree, that Clodius would not have been on his return to Rome the day in queſtion, had not the unexpected event regarding Cyrus, occurred. My ſpirits recover, I feel myſelf diſburthened of the charge: nor, ſhall I fear henceforward to be ſuſpected of perſuing deſigns, which never could have found an entrance into my imagination.

To proceed however, in examining objections. From the evidence I have mentioned which ſtates, that Clodius' firſt intentions were, to remain at Alba, inferences may be drawn that we ſhould not ſuſpect him of leaving that place upon a deſign of murder; nor indeed, with any treacherous view whatever. Now I, for my own part, ſee this pretended harbinger of Cyrus' death; to be no other than a meſſenger appointed by Clodius, to announce the approach of Milo. For, I would aſk, why ſuch haſte to inform Clodius of Cyrus' death? He was at the point of death, when Clodius parted from him at Rome. I

was preſent at the parting; and with Clodius, ſealed up his will, which was publicly [aw]executed; Clodius, and myſelf, being his heirs. Alas! how very extraordinary, that a man left expiring one day, ſhould be dead early in the next! How neceſſary to be informed of an event ſo ſingular and unexpected!

At ten, however, on the ſucceeding day, an expreſs arrives to Clodius with the news. Suppoſe all this to be caſual, and right in reſpect of the meſſenger; where was the neceſſity of an immediate journey to Rome? Why travel in the night? Which, was the circumſtance of the caſe, that preſſed ſo ſtrongly? Perhaps Clodius being Cyrus' heir? In regard to that, was there any thing, reſpecting the legacy, which his preſence could expedite? And if that had been the caſe, could he receive the money only in the night? Muſt he have forfeited his claim, by letting it ſtand over till the morning? A journey to Rome by night, was certainly rather to be avoided than ſought, on the part of Clodius. But Milo, had he formed any deſigns againſt Clodius' life, and had got private information of his ſetting out at night; would, no doubt, have waited till dark, to intercept him on the road.

For, had he killed Clodius, by night, being in a ſolitary place, and among the haunts of thieves, a denial of the fact, a bare negation, muſt have procured his acquittal; from judges, who, now that he confeſſes the fact,

[aw] [AW] NOTE XLV.

are anxious for his preſervation. But, in the firſt inſtance, the very mention of the place, the well-known receptacle, and ſcreen of banditti, would have baniſhed every ſuſpicion of Clodius' falling by other hands; while the chaos of night, and the ſurrounding ſolitude, had in any caſe, effectually concealed Milo. In the next place, ſuch numbers have been abuſed, plundered, and ſtripped by the deceaſed, and ſo many were apprehenſive of ſharing the like fate; that Clodius' death, with great appearance of probability, might have been imputed to ſome of thoſe. In a word, all Etruria might have been reaſonably ſuſpected of the fact.

But Clodius, we are told, determining upon his return from Aricia that day, left the main road to go by Alba. Now, granting that Milo got information of his leaving Aricia; he muſt, by the ſame means know, that Clodius, though he intended to return to Rome that day, would call at his villa. Why then did he not attack him before he reached his villa, leſt he might continue there? Or, take his ſtation in ſome convenient place, where Clodius muſt neceſſarily paſs by night? My Lords, every thing hitherto has proved, that Milo was intereſted in the preſervation of Clodius' life; but that the reverſe was true, with reſpect to [ax]Clodius. The choice object of his life, was attainable, only by Milo's death. In this man, no ſymptoms of reſentment ever appeared toward Clodius; in the other, every ſign of the moſt inveterate rancor toward Milo. Clodius, was conſtantly urging violence;

[ax] NOTE XLVI.

while

while the former never acted but defenſively. Clodius, publicly denounced vengeance and death to Milo; but Milo never threatened any man. His journey, was known to Clodius; but, to Clodius' return, Milo was an entire ſtranger. On one, a journey was compulſive; to the other, unneceſſary. For the departure of Milo, the day was fixed, and by public authority; whereas Clodius' journey was a private act, and his purpoſe uncertain. This, invented many reaſons for changing his times; the other, could not alter his. If Milo had borne about him ſuch a treacherous deſign, why did he not wait for Clodius' return at night, near the city? And Clodius, if he had poſſeſſed no apprehenſion of ſuch a deſign; muſt have known how dangerous the approaches to the city are, at all times by night.

Let us next examine, what I take to be a leading queſtion: To which of the two, the place itſelf, was the moſt favorable for ſuch an encounter? You, my Lords, may think that too clear to need a diſcuſſion. Indeed, this circumſtance might be reſolved by another queſtion ſo very obvious, that I ought to aſk your indulgence for propoſing the firſt. The true ſtatement is this: Whether Milo ſhould chooſe for ſuch buſineſs, a ſpot which was part of the inheritance of Clodius; ſituated on an eminence; overlooked on all ſides by thoſe extravagant buildings he was carrying on; and from whence, he could inſtantly pour upon him, a thouſand able-bodied men? Or, whether Clodius, conſcious as he muſt be, of ſuch great advantages; there himſelf laid the ſcene of Milo's deſtruction?

deſtruction? My Lords, THE FACT SPEAKS: no argument can be ſo forcible.

WERE words prohibited, and your judgment to be formed from a painting of this tranſaction; you might then eaſily diſtinguiſh between the innocent man and the traitor. One would be repreſented to you, ſitting in a carriage; enveloped by a cloke; and his wife at his ſide. Some judgment would be neceſſary to determine, which of the three was the greateſt incumbrance; the cloke, the carriage, or the lady. How excellently well, muſt a man be prepared for action, when pinioned by a cloke; impriſoned in a carriage; and, ſhackled by a woman? Let us now ſee the other ſide of the picture? Clodius, leaving his ſeat, and in a hurry: wherefore? And in the evening: for what reaſon? At a late hour, and in the midſt of winter: what ſo urgently impelling? He leaves the main road, to paſs to Pompey's ſeat: for what? To viſit him? No, he knew Pompey was at Alſium. That he might ſee his villa? Which he had ſeen a thouſand times. What was the occaſion then, of all this ſhuffling and delay? Nothing can be more obvious. That he might gain time, and meet Milo on the ſpot ſelected with ſuch very favorable circumſtances. Here you may ſee, the wiſe proviſion of an experienced villain; contraſted with the incumbered, and unprovided condition of Milo.

WHO can recollect a prior inſtance of Clodius' travelling without his wife: and why was ſhe not with him then? Who before, ever met him on the road but in a carriage; though

though upon this occaſion, we find him on horſeback? His Greek minions, who attended him, even in the [ay] Tuſcan camp, and ſeemed upon every other expedition to move as an appendage of his body: why did they diſappear at this juncture? Becauſe, upon this expedition, every ſpecies of incumbrance was cautiouſly avoided.

Milo, contrary to his uſual method, was here accompanied by a band of ſinging boys, and a crowd of girls, his wife's attendants. Whereas Clodius, who at all former times drew after him, a train of whores, pimps, and miſcreants; came now into the field with the appearance of one, who was to meet a foe of ſome conſideration. How happened he then, to fail in the attack? Becauſe, the unprepared traveller does not always fall a prey to the lurking thief, but premeditate villany, is ſometimes entangled in its own ſnares; and becauſe, though Clodius with every advantage of preparation, attacked the totally unprepared; this was but the attack of an effeminate wretch, upon men of valor.

No man will ſuppoſe, that Milo was ſo wanting to himſelf, at any time, to appear abroad without the common means of defence. He knew too well, the intereſt Clodius had in his death, the rancor he bore him, and the raſhneſs of his nature; not to expect every ill, at his hands. He was not ignorant, that Clodius not only ſought his life; but that he offered large rewards to his aſſaſſinator. For theſe reaſons, he never expoſed him-

[ay] [AY] NOTE XLVII.

ſelf

ſelf totally unguarded and unattended. Add to all theſe circumſtances, the accidents, the uncertain event of war, and the common fate of battle: which often rob the exultor, juſt ready to give the conquering blow, of all his ſpoils; and crown the fallen with victory. Beſide, Milo was attacked by an adverſary ignorant of war, indolent, gorged with gluttony and wine; and ſo ſtupid to imagine, that having cleared the way to Milo's perſon, he had nothing to apprehend from his diſtant attendants. But here lay both his miſtake and his danger. Thoſe attendants ſeeing the deſperate ſituation of their maſter, being fired with rage, and become ſwift to revenge his ſuppoſed fall; drew upon Clodius, a juſtly-merited fate. And in this, I can boldly aſſert, they acted as all faithful ſervants ought to act, toward the ſuppoſed and apparent murderer of their maſter.

But why, you will aſk, did he [az]free them from ſervitude? Was he afraid they ſhould betray him; that oppreſſed by [ba]torture, they ſhould confeſs, Clodius was killed by the ſervants of Milo on the Appian way?—What was the torture to produce? What to be got by that? A confeſſion of killing? He was killed. But lawfully, or not? What has the torture to do with that? The rack is for extorting a confeſſion of facts: points of law belong to the judge.

The queſtion of law, therefore, is now the ſole ſubject of enquiry. All that your torture could draw forth, is al-

[az] [AZ] NOTE XLVIII.

[ba] [BA] NOTE XLIX.

ready confeſſed. If you ſhould aſk, why he freed thoſe ſervants, rather than why he did not more amply reward them; you muſt be at a loſs to know how to ground your charge againſt the priſoner. For Marcus Cato, one of the compeers of this court, and a man who always ſpeaks with firmneſs and conſiſtency, declared in a riotous aſſembly, which was reduced to order by Milo's authority; that ſervants in defending the lives of their maſters, not only merited their freedom, but were worthy of the higheſt rewards. And indeed, what gratuities can overpay, the fidelity and affection of good ſervants; in whoſe hands all our lives are depoſited? My Lords, from the courage and fidelity of ſervants, a man may receive greater advantages, than the preſervation of life itſelf. A man's ſervants may prevent an enemy from glutting his ſavage eyes, and ſatiating his revenge, with a view of the bloody, mangled corſe of their maſter. And would you have ſuch ſervants, the preſervers of their maſter's life, the avengers of infamy, and his ſhield againſt murder; conſigned to the torments of the rack? I am ſure, that amidſt all the misfortunes which now environ Milo, he feels ſupreme conſolation from reflecting; that whatever may be the iſſue to himſelf, he has been able to protect and reward ſuch ſervants.

But the examinations now carrying on, within the verge of the Temple of Liberty, are ſaid to preſs ſtrongly upon Milo. I would aſk, from whoſe ſlaves thoſe examinations were taken? From the ſlaves of Publius Clodius. By whom interrogated?——Appius. Who produced thoſe ſlaves? — Appius. Whence came they? — From Appius. Divine Powers! What unparalleled cruelty! Shew me the

the law that admits the teſtimony of ſlaves; except as in Clodius' caſe, a caſe of inceſt? But, ſhall the death of Clodius, who has now drawn nearer to the Gods, than when he once penetrated their ſolemn receſſes; ſhall his death, and a violation of the divine rites, be enquired after, with circumſtances of equal ſolemnity? Our anceſtors, never permitted the evidence of a ſlave to be taken againſt his maſter; not merely from the doubtfulneſs of ſuch evidence, but becauſe an indignity was thereby put upon the maſter, worſe than death itſelf. And indeed, how can we expect, that the ſervants of a proſecutor, ſhould give a juſt evidence in reſpect of the accuſed?

HOWEVER, we will take a view of this mode of enquiry, and ſuppoſe the examination by Appius. Here you, Ruſcio, Caſca; Did Clodius way-lay Milo? Yes. Drag them to immediate execution. No, no, he did not. You may expect your freedom. What an excellent method of diſcovering the truth? They are ſuddenly brought to the torture, but ſeparate from the reſt; and then confined in [bb]dungeons, where no acceſs to them is allowed. After being kept three or four months in cuſtody of the proſecutor; they are, by the proſecutor himſelf, produced to the court. What alas! can be more credible than evidence ſo ingeniouſly acquired, ſo very incorruptly obtained?

MY LORDS, the powerful arguments, the circumſtantial proofs, with which this caſe every where abounds, have

[bb] [BB] NOTE L.

already I hope, convinced you, that when your city betrayed a ſcene of general confuſion, Milo's return was with that apparent ſerenity of mind, that purity of heart, that immoveable ſpirit; which indicates a man untortured by the remembrance of any crime, conſcious of no guilt, and in dread of no puniſhment. If my Lords, theſe incidents have not convinced you, recollect, By the Immortal Powers! I conjure you to recollect, the diſpatch with which he accelerated his return to Rome; the dignity of mind, the intrepid countenance he diſplayed in aſcending the forum, while the courts were in a blaze; and above all, recollect the firmneſs, with which he then addreſſed you. The ſurrender of his perſon was made, not to the people alone, but to the ſenate alſo. Not only to thoſe, but to the army, to the troops of the republic likewiſe. And laſtly, to that great perſonage, whom the ſenate has inveſted with the government of the commonwealth, the command of the army, and the care of all the Italian youth. To him certainly, he never would have ſurrendered himſelf, had he doubted of the juſtice of his cauſe: as that great man heard all, was deeply alarmed, had many ſuſpicions, and believed ſome particulars.

GREAT, my Lords, I allow to be, the power of conſcience; great indeed, in all caſes. While the innocent are relieved from their fears; the guilt of offenders is, by the ſame faculty, ever placed before their eyes. The ſenate's [BC]frequent approbation of Milo's cauſe, was not pronounced but upon the beſt grounds. The wiſdom of that

[BC] NOTE LI.

auguſt

auguſt body, immediately penetrated the nature of the act. This, joined to his own firmneſs of ſoul, and the conſiſtency of his defence, very ſoon fixed their opinion in his favor. Yet you, my Lords, muſt remember, when the news of Clodius' death firſt reached the city, that not only the enemies of Milo, but many others indifferent to his cauſe, though of weak judgments, gave their opinion, that Milo never would return to Rome.

Some men imagined, an angry and violent ſpirit, led Milo to this act. That, under the influence of paſſion, he ſtruck the blow which deprived Clodius of his life. Little regarding, whether he ever ſaw his country again, or not; and indifferent to all things, ſo he could glut his revenge with the blood of his enemy. While others, nobly attributed this action, to a generous and patriotic ſpirit; not doubting, that the ſame brave man, who had at ſuch great hazard, eſtabliſhed the freedom of his country, would ever ſcruple to ſubmit to her laws; or voluntarily reſign, the immortal honor of having left us the bleſſing of liberty, procured by ſuch a great effort of his virtue. Still, detractors were not wanting, who announced him a Catiline; and thoſe were big with direful omens. "He will ſoon ſhew his proper colors," ſaid they, "You will ſee him ſpeedily ſeize on ſome place, "convenient for making war upon the republic." Miſtaken people! But ſuch alas! is often the fate of the moſt deſerving citizens! Their virtues neglected; or their moſt glorious actions referred to baſe motives! However, theſe ſuggeſtions you ſee, have proved falſe; but, had Milo

Milo done any thing unjuſtifiable in the preſent inſtance, they had certainly been verified.

WHAT calumnies, were afterward heaped upon him? Calumnies ſo groſs, that had he been conſcious but of the leaſt of them, would have ſtruck him with horror. But, how did he ſuſtain himſelf under them? How reſiſt their virulence? Immortal Gods! Reſiſt? He ſpurned, he contemned them. Which an unconſcious mind without conſummate courage, could no more have effected; than could the ſame courage, without the moſt perfect innocence. A great number of ſhields, ſwords, bridles, [bd]javelins, and darts, were ſaid to be ſomewhere lodged. According to the ſame accounts, in every ſtreet and [be]alley of the city, Milo had hired a place to depoſit military ſtores. By other accounts, a quantity of arms, had been tranſported on the Tyber, to his ſeat at Ocricula. His houſe on the Capitolinian hill, was pronounced to be a mere magazine of ſhields; and [bf]combuſtible matter, worked up for particularly-fierce execution, was ſaid to be diſperſed all over the city. Theſe reports were ſpread throughout Rome, and even gained credit; nor were they rejected, until evident proof was made of their falſhood.

I AM one, my Lords, who admired the extreme vigilance of Pompey; but, I muſt nevertheleſs, ſpeak without reſerve. Thoſe, on whom the government of a ſtate

[bd] [BD] NOTE LII. [be] [BE] NOTE LIII.
[bf] [BF] NOTE LIV.

devolves,

devolves, are I know, compelled to hear every allegation; they are indeed, obliged to hear too much. But why Licinius, ſuch a wretched fellow, a [bg]ſlayer of cattle, ſhould be noticed; Pompey himſelf beſt knows. This fellow forges a ſtory, that the ſervants of Milo, becoming intoxicated with liquor at his houſe, made a confeſſion to him, of a conſpiracy they had entered into againſt Pompey's life. And, that afterward, one of the conſpirators actually ſtabbed the informant, in order to prevent a diſcovery of the proceeding. This curious information, Licinius delivered to Pompey, at his gardens. I was immediately ſummoned thither. By the advice of Pompey's friends, the affair was referred to the ſenate. I confeſs, my Lords, I was near expiring when I received the firſt intelligence of ſuch great danger impending, over the life of my own, and my country's preſerver. Still, I could not but wonder, that any credit ſhould be given, to the evidence of ſuch a cut-throat fellow as Licinius. I was indeed aſtoniſhed, that the confeſſion of a ſet of drunken ſlaves, ſhould be, for a moment heard. Or, that a ſcratch on the ſide, reſembling the raſure of a needle, ſhould paſs for the ſtroke of a gladiator.

Pompey, here demonſtrated as I apprehend, more of caution than timidity. He was willing, not only in caſes of real danger, but of the ſlighteſt appearance, to place you beyond the reach of fear. Rumors were circulated, that an attack was made upon the houſe of the noble, the brave Caius Ceſar, which laſted during ſeveral hours

[bg] [BG] NOTE LV.

of

of the night. No man pretends however, to have heard the attack, no perſon ſaw it, though the houſe ſtands in one of the moſt frequented parts of the city. Still, the rumors were credited. The renown of Pompey's character, placed him always, in my opinion, above entertaining a ſuſpicion of fear; but no enquiry can be too minute, by thoſe who have the direction of the public ſafety. At another time Milo, in a full ſenate held at the capitol, [bh] was charged by one of your members, with bearing about him a concealed weapon. Milo inſtantly, and in that ſolemn place, preſented himſelf naked before you; that, as his conduct, both as a man and a citizen of Rome, had not been ſufficient to exempt him from ſuch a heinous charge; the fact, without any other defence, might prove his innocence. And thus the charge was clearly proved, to be the reſult of malice, and falſhood.

NEVERTHELESS, if Milo muſt ſtill be deemed an object of public dread; the Clodian proſecution will not greatly affect us. But your ſuſpicions Pompey, will awaken all our fears. Pompey, I ſay again and again; I invocate you repeatedly, by name, that not one word may eſcape you; and I again tell you Pompey, that your ſuſpicions are the ſole ſource of our apprehenſions. If you have any doubts concerning Milo; if you ſuſpect him now, or at any former period, of deſigns againſt your life; if the hoſt of Italy, as ſome of our public officers, ſtile you; if the arms of Rome, the Capitolinian guards, the guards

[bh] [BH] NOTE LVI.

and

and ſentries of the city; if that choſen band of Roman youth, honored with the preſervation of your perſon, and the ſafety of your houſe; if I ſay, all theſe be armed againſt the efforts of one man, their united force prepared, and bent againſt this one ſuſpected perſon: Great indeed muſt be his ſtrength, wonderful his audacity and perſeverance in oppoſition, but little ſuited to the ſtrength and powers of an individual; ſeeing, that our renowned and choſen leader, at the head of all the forces of the republic; is the foe, with whom he muſt contend.

But, who is there uninformed, that the forces of the republic have been committed to your hands, on purpoſe to confirm the ſound, and ſtrengthen the decayed parts, of our empire and the conſtitution? If a proper time, and place, were aſſigned to Milo, he could eaſily convince you, that no man was ever more dear to another, than you are to him: That he never evaded any circumſtance of danger, to eſtabliſh your dignity: That, to maintain your glory, he has often engaged that baneful villain Clodius: That, to your counſels he applied during his tribuneſhip, on every occaſion regarding my ſafety, then a great object of your care: That, he owes his life to your protection, the Pretorſhip to your intereſt: And, that he always reſted firmly, on the idea of poſſeſſing two friends; you, and myſelf. Secure of the one, from favors received; aſſured of the other, from favors conferred. But, had your ſuſpicions been fixed beyond the power of removing; and no poſſible event could have quieted your apprehenſions, ſtopped your fears, and given peace to the city, without his deſtruction; he would, though a

Roman by birth, by principle, and by choice, have departed a willing exile. Nevertheleſs, illuſtrious Conſul, in that awful moment as in the preſent, he would have made a previous appeal to your judgment.

How variable and fluctuating, are all the incidents of life! How fleeting, how inconſtant, the gifts of fortune! What diſloyalty, tergiverſation, and time-ſerving, in friends! How ready to fear, how ſwift to fly, upon the ſmalleſt approach of danger! There may be a day, when popular commotion may ſhake, even your authority Pompey; though I hope, without effect. Still ſuch a day may come, and againſt a probable evil we ought ſurely to keep a vigilant guard; a day, when you will bewail the loſs of the warmeſt friendſhip, the moſt unſhaken principles, and the nobleſt ſoul, that ever dignified the human exiſtence.

But who would believe that Pompey, a man ſo ſkilled in the Roman law, ſo well read in the hiſtory, and ſo perfectly acquainted with the true conſtitution of the empire; ſhould, when required by the ſenate, to ſee THAT THE REPUBLIC SUSTAINED NO DAMAGE; by which ſhort, though powerful ſentence, the Conſular power is without further decree, armed with the whole force of the ſtate: who, I ſay would believe, that Pompey, indued with a great army, and an unlimited power of levying men, ſhould fix upon a legal method of judging Milo; if our great leader's intentions had been, as they are repreſented, the abolition of all law? This circumſtance plainly indicates, that Pompey deems all the accuſations againſt Milo

Milo, to be falſely preferred. For, he has enacted a law whereby, as I apprehend, not only your candor behoves you my Lords, to acquit the priſoner; but a ſentence of acquittal is likewiſe expected from you, by the whole world.

THE preſence of Pompey, ſurrounded by the power of Rome, ſufficiently declares your independent ſituation. For, Pompey could never ſo far derogate from his own dignity, to aſk for your aſſiſtance in a caſe, where, by the ancient preſcription of cuſtom, his office entitles him to an excluſive power of puniſhing? Theſe guards therefore, are in fact, your guard. And you are, by them clearly inſtructed; that you have free and unreſtrained permiſſion, to examine and condemn, the ſeditious reſolves of yeſterday's riotous meeting.

MY LORDS, be aſſured the Clodian charge ſimply conſidered, does not at all affect me. Nor, am I ſo dull, ſo great a ſtranger here, nor yet ſo uninſtructed, to be unable to gueſs at your ſentiments, concerning the death of Clodius. And had I not, as I preſume I have, done away the blood of Clodius; Milo might have openly, ſecurely, and, by [bi] A GLORIOUS FALSHOOD, called the act his own. I did not, he might have ſaid, kill a Spurius Melius, who, by ſupplying the public ſcarcity at his own expence, became ſuſpected of popular aims, and thence fell under the charge of views tending to monarchy. Nor, a Tiberius Gracchus, who, by a ſeditious

[bi] [BI] NOTE LVII.

procedure depoſed his colleague; actions, which have filled the world, with the glory of the perpetrators. And, as the man, who ſaved his country with imminent danger to himſelf, poſſeſſes the right of ſpeaking boldly; he might have ſaid, I killed a man, detected by our nobleſt matrons, in committing the moſt horrid adulteries upon the very reſting places of our Gods. He might have proceeded to ſay, I killed a man, whom the ſenate judged a proper object, to ſuffer the expiation of violence offered to our religious ſolemnities; and whom Lucullus ſwore, had committed inceſt with his own ſiſter; which alſo appeared, by the extorted confeſſion of Lucullus' female ſervants. A man, who by the aid of baſe ſlaves, expelled from his country, the perſon whom the city, the ſenate, our own, and every nation acknowledged, to be the preſerver of Rome, and the Roman people. I have, he might add, laid low the man, who dealt out [bk] kingdoms, and [bl] reſumed them at his pleaſure. Who parted the world into ſuch diviſions, and ſubject to the government of ſuch perſons, as he thought proper to nominate; and who, after a ſeries of murders committed in the forum, compelled by force and arms, a great and ſingularly virtuous [bm] citizen, to take ſhelter in his own houſe. Milo, might have juſtly ſaid, I killed the villain, who never deemed any thing impious, that promoted his own wickedneſs; or unjuſt, that favored his pleaſures. An incendiary alſo, who thinking to deſtroy the public regiſter of his crimes, fired the [bn] Temple of the Nymphs, where

[bk] [BK] NOTE LVIII.
[bl] [BL] NOTE LIX.
[bm] [BM] NOTE LX.
[bn] [BN] NOTE LXI.

it

it had been exhibited as a record of his infamy. The man, who held the law of the land, the law of nations, and, the rights of a legal poſſeſſion in the greateſt contempt, whenever they obſtructed his deſigns; for, he never ſought to accompliſh his purpoſe by artful proceſſes in law, perjured evidence, and ſuch inferior ſpecies of fraud; by arms, in camps, and with every apparatus of war, he attempted the eſtabliſhment of his infamous, and unbounded pretenſions. The man, who with open force, invaded not only Tuſcany, conſidering the Tuſcans as nothing formidable, but Varius, that brave, that worthy citizen, he aimed to diſpoſſeſs of his eſtate. Milo, might have again urged, that he had killed the man who, with architects, and meaſuring rods, ſurveyed the grounds and villas of numberleſs citizens; and whoſe curſed ambition greeted him, lord in idea, of all the land between [bq]Janiculum and the Alps. The man, who when Titus Pacavius, a brave and noble knight, refuſed to ſell his iſland in the Lake of Pretius, prepared boats, and entered his territories without delay, carrying every object of hoſtile preparation and ſettlement, as arms, lime, mortar, and other materials; where the proprietor, from an oppoſite bank, had the mortification to behold, what he was unable to prevent, the erection of an edifice upon his own ground. I ſhall paſs over the affair of that poor woman Scantia, and the youth Aponius; both of whom he threatened with death, unleſs they yielded to him their poſſeſſions. But Milo might have ſaid, I killed the wretch who dared to threaten Titus Furfanius, Immortal

[bq] [BQ] NOTE LXII.

Gods!

Gods! one who dared to menace Furfanius, with bringing a dead body into his houſe, in caſe he failed to produce ſuch a ſum as was demanded of him. And with what exceſs of envy muſt he be inflamed, who could thus behave, to ſuch a man as Furfanius? Milo might have continued to urge that he had killed the man, who in the abſence of his brother, Appius Clodius, a perſon linked with myſelf in the tendereſt bands of friendſhip, ſeized on that brother's eſtate. And laſtly, to finiſh this character he might have ſaid, I killed the unfeeling monſter, who ordered a foundation to be laid acroſs the court-yard of his ſiſter's houſe; whereon he erected ſuch buildings, as deprived her of all acceſs to, or return from, her own habitation.[bp]

All theſe inſtances of violence, rapine, and uſurpation, were however, paſſively endured; though ſuſtained equally by the republic, as by individuals; at home, as in the moſt diſtant provinces; by ſtrangers, as by relations. Cuſtom, and incredible forbearance, had rendered the minds of the people, inſenſible of their injuries, and callous to their own ſufferings. By what means indeed, were you to repel, or how, longer to bear them, if Clodius had ſeized upon the government? I ſhall ſay nothing of the predicament wherein your allies, foreign nations, and princes, muſt have been involved. And you would have bleſſed the Gods, that his fury had burſt upon them, rather than upon your own territories, your houſes, and effects. Effects, did I ſay? By the Eternal Gods! your children, and your wives, would not have eſcaped the rage of his in-

[bp] [BP] NOTE LXIII.

exhauſtible

exhauſtible luſt. Theſe are not, as you well know, the ſuggeſtions of a warm imagination. They are facts; clear to all the world, and the true portrait of your own thoughts.

Did not Clodius attempt to form an army of ſlaves, expreſſly for the deſtruction of your ſtate, the enſlavement of yourſelves, and the forcible poſſeſſion of your whole property? In this dreadful extremity, ſuppoſe Titus Annius Milo, preſenting a reeking dagger, and thus addreſſing you. "Fellow Citizens, I beſeech your hearing and attention. Behold the life-blood of Clodius. The cloud of evils, juſt burſting over your heads, is diſperſed. The machinator of your woe, is fallen. This truſty weapon, directed by my arm, felled him. To this genial ſtroke you owe, that either juſtice or equity, laws, liberty, decency or modeſty, have an exiſtence in your city."—Could there be a doubt how ſuch a deed, when atchieved, would be received in Rome? Aſk your own hearts, if at this moment, you find a ſingle diſapprover? Or, aſk rather, if there be one among you, who does not applaud the act?

Who is there then, I deſire to know, that does not both ſay and think, Milo has accompliſhed greater events for the republic, been the ſource of greater and more true joy to the Roman people, to all Italy, and indeed, to the whole world; than any man within the memory of the preſent age? I will not pretend to meaſure the tranſports, or aſcertain the feelings of paſt generations; but I will venture to ſay, that we ourſelves, have beheld the moſt glorious

rious victories of our greateſt generals, with a leſs laſting and leſs tranſporting joy, than we beheld the death of Clodius. Depoſit therefore, in your memory, theſe remarks:—I hope, and believe, a courſe of glorious days is now opened to you, and your children; but, forget not in the enjoyment of them to reflect, that had Publius Clodius lived, you never could have ſeen ſuch days. We have now indeed, grounds to form the ſtrongeſt hopes, and in this very year, under the auſpices of our glorious Conſul; that, upon the ruins of luſt and rapine, and upon the fallen edifice of licentious villany; law, juſtice, and the ſafety of Rome, will have a ſure and laſting foundation. But who is ſo weak to believe, this could ever have happened during the life of Clodius? What enjoyment, what ſecurity, could you ever have propoſed to yourſelves; while your inheritance and your whole property, lay liable to be ſeized on, by a domineering, arbitrary uſurper?

My Lords, if after this, any man ſhould inſinuate, that the malice of my enemies had ſtung me, and ſo inflamed my reſentment, as to extort a reply more fraught with acrimony than truth; that circumſtance would give me no pain. Clodius, no doubt, merited every chaſtiſement at my hands; yet being the common enemy of mankind, the univerſal odium was as ſtrongly borne againſt him, as any reflections I could utter, ariſing from my own perſonal wrongs. The depth of his infamy indeed was ſuch, no mind could fathom; nor, can the power of words deſcribe, the vaſt extent of his deſtructive qualities.

At this period however, my Lords, I particularly beg your

your attention. As we are now enquiring into the death of Clodius, let me repreſent to your imagination, for thoughts are free, and ſo cogent often, to realize to the eye the object of their contemplation; let me therefore, repreſent to your imagination, the object I would deſcribe, upon the following ground:—"That Milo might be acquitted, upon "condition I could reſtore Clodius to life."—Ah! you turn pale. Does the bare idea, the mere picture of fancy, thus affect you? How then would you meet the real, the animated Clodius? Aſk Pompey, my Lords, aſk that great man, whoſe merit and ſucceſs have performed deeds almoſt beyond the atchievement of human proweſs; aſk him this queſtion: "If "upon his determination depended the revocation of Clodius "from hell to earth, or the holding a court to try his mur-"derer; on which of the circumſtances his election would "fall?" I will myſelf anſwer the queſtion, I will take upon me to ſay: "If his friendſhip for Clodius ſhould incline him "to the revocation; his love for his country, would put "an inſuperable bar to that deciſion." Here then you ſit, to avenge the death of a man, whoſe reſtoration to life you would not effect, if in your power; and upon a commiſſion granted by a ſpecial law, which law, could it have reanimated Clodius, never would have obtained your conſent to paſs. And ſhall the taker of ſuch a life, by confeſſing the deed, have cauſe to fear the ſentence of thoſe men, whom that very action liberated from the yoke of ſlavery?

DIVINE honors were decreed by the Greeks, to thoſe who deſtroyed a tyrant. What [bq]have I ſeen at Athens! In

[bq] [BQ] NOTE LXIV.

other cities of Greece! What godlike properties aſcribed to ſuch heroes! What hymns! ſongs! Divine adoration was paid to their perſons; and their names inſcribed to immortality. While you, ſeize upon the perſon of your preſerver, upon the avenger of your own infamy; and bring him before you, not only unhonored, but in the ſituation of a malefactor.

MILO, had his hand actually performed the deed, would have confeſſed, have boldly owned, ſuch a glorious act of reſtorative freedom. He would not only have confeſſed, but as ſuch, proclaimed the deed to all the world. For, if he does not deny an action, wherein he aſks nothing but your ſanction; how can you ſuppoſe he would have heſitated to confeſs a fact, that deſerves your ampleſt rewards? Unleſs he could imagine, that his ſafety was an object more grateful to you, than the ſecurity of your own order. Particularly, as the confeſſion, if you had been grateful, muſt have been followed by the higheſt honors of the ſtate. Nevertheleſs, had you diſapproved the act, though there is a manifeſt abſurdity in ſuppoſing any man ſhould diſapprove what inſures his own ſafety, yet had the virtuous effort of one of the braveſt of men, been ungraciouſly received by his fellow-citizens, you would nevertheleſs, have beheld him ſecern from your fellowſhip with that firmneſs and magnanimity, which form ſuch a conſpicuous part of his character. But what a load of infamy and reproach would be entailed upon your ſtate if you, amidſt the general joy for your deliverance; ſhould protrude from a participation, the ſole author of that joy, and your deliverer.

THE

THE known character of Romans ſufficiently indicates, that in the reſiſtance of tyranny and oppreſſion, they "ſcorn to arrogate the glory, without ſharing the danger and difficulty of every action. Where had been my title to praiſe in the acts of my Conſulſhip, as well as in my greateſt efforts for my country's freedom; if there had been no danger to encounter, no difficulties to ſurmount? Shew me a female ſpirit, that would ſtart at the propoſition of murdering a rebel, and a villain; if the execution was attended with no danger? But the man, whoſe ardor in the perſuit of glory, neither the rage of envy, obvious penalties, nor even death itſelf, can repel or retard; is indeed, a hero. As every ſtate is bound in duty, to annex ample rewards to meritorious acts; ſo the neceſſary appendage of a hero, is to face danger, without fear; and in the midſt of penalties and inflictions, to rejoice in a glorious action.

MILO therefore, might have juſtly followed the examples of Ahala, Naſica, Opimius, Marius, and confeſſed the act. If the republic had done juſtice to his valor, well; if not, conſcious virtue, would have borne him triumphantly, through every ſpecies of oppreſſion. But, in the preſent caſe my Lords, the genius of your empire, your own felicity, and the Gods of Rome direct you, where to offer up your thanks for ſo great a national benefit. And no man can heſitate to acknowledge the fact, without contemning the Gods, and ſcorning their power. He who entertains a doubt in this caſe, muſt be indeed, an alien to

" [BR] NOTE LXV.

the glory of his nation; unmoved by the heavenly objects which ſurround him; ignorant of the order and ſucceſſions of nature; and what is ſtill more reprehenſible, a ſtranger to the wiſdom of our anceſtors. They cultivated the ceremonial rites and auſpices, with reverential awe; and as aſſiduouſly tranſmitted them, to us their poſterity.

NATURE undoubtedly, has given a ſecret impulſe to all her works; nor is there any principle, either of conſciouſneſs or ſenſation, in our frail weak bodies; which does not equally operate, in every other part of her great and extended ſyſtem. Some may imagine, that nothing exiſts which is not an object of our ſenſes; whereas our mind, the manner or principle, by which we reaſon and debate, by which we uniformly act, and ſpeak; is neither tangible nor viſible, that we know, nor can we aſcertain the ſeat or mode of its exiſtence. To this impulſe however, be aſſured, to this providential agency, this ſecret power, under whatever denomination; to this you owe, the numerous inſtances, which have elevated your empire to the preſent incredible ſtate, of glory and felicity. This was the ſecret power, which extinguiſhed and carried off, that late execration Clodius. This the power, that furniſhed him with thoſe ideas of rapine, murder, and uſurpation, which led him to the perſonal attack of ſo brave a man as Milo; and that gave the victory to the latter. Whom, had Clodius ſubdued; licentiouſneſs would have taken up an everlaſting and unmoleſted abode, in your city. Here the powerful interpoſition of the Gods is clearly viſible; for ſuch great events could not be effected by human means.

By Heaven! the ſupreme powers ſeem to have been unuſually moved, in the fall of that monſter. In his fate, their own dignity ſeems to have been gloriouſly aſſerted. "You, O Alban mounts, and groves, I [bs]invoke! You "alſo, neglected altars of Albana, the holy reſort of all "the Roman people, you, whoſe conſecrated uſes ought "to have been a bar to his unremitting fury; which "however, neither you, nor the ſacredneſs of your groves, "could reſtrain from erecting a temple of profaneneſs on "your ſpoils; you, that in his fall, riſe again; you, "whoſe ſacred rites revive with accumulated ſplendor, "whoſe influence mounts, which had been ſo degraded, "and contaminated with his curſed pollutions: you, I "implore! And thou, O awful Jove! who, from on "high, ſo long beheldſt the ſtreams, the groves, and every "boundary of thy ſacred Latian mount, the ſite and objects "of his horrid defilements; and who haſt at length, per-"mitted the blow: thee I invoke, and implore! For, to "the divine powers, and in their ſacred view was made, "the late, though juſtly-merited oblation of his life."

No man will ſurely pretend to ſay, that Clodius' falling upon the ſpot where he had committed the horrid crime of ſacrilege, was the reſult of chance. Yet, every man knows, that in his attack upon Milo, he received his firſt wound on the eſtate of that honorable and accompliſhed youth, Titus Sextius Gallus, and before that ſhrine which he had ſo ſacrilegiouſly violated; the ſhrine of the [bt]goddeſs Bona. All men therefore, muſt ſee, the ſigns of that

[bs] [BS] NOTE LXVI.

[bt] [BT] NOTE LXVII.

ſacred

ſacred influence I have mentioned; which permitted the villain Clodius, to elude the former vengeance of the law by a ſentence of corrupt judges, merely to reſerve him, for a more local, exemplary, and expiatory puniſhment. And is not the ſame influence, again viſible? For, what but the power of the vindicating Gods, could ſtimulate the followers of Clodius to ſuch inſtances of rage and indignity, as they committed upon his dead body? What elſe induce them, to conſign the remains of their leader, their aſſociate, their friend, without pageant, or hymn; without ſhow, or proceſſion; unwept, unpraiſed, unlamented, and beſmeared with clotted blood; to the funeral flame? In ſhort, what but this powerful agency, could make them deny thoſe burial rites to their chieftain and friend, which all nations grant to their greateſt enemies? What, but the great Gods, who would not permit the effigies of ſo many honored men, to grace the funeral of ſo execrable a paricide? Yes, the Gods themſelves, decreed moſt juſtly, that the ſcene of theſe unparalleled indignities offered to his body, ſhould be laid in that very place, where his life had been ſo often [bu] accurſed.

HARD indeed, very hard appeared to me, the fate of the Roman people; ſo many years to behold and ſuffer, the inſults heaped upon the republic. To ſee their ſacred rites profaned, the moſt ſolemn decrees of their ſenate defied, and their judges openly corrupted. To behold Clodius' whole Tribuneſhip, a courſe of oppoſition to the

[bu] [BU] NOTE LXVIII.

ſenate;

ſenate; every ordinance of the ſtate, however momentous to our ſafety, contemned and invalidated; myſelf an exile, and baniſhed by him; deſpoiled of my property; my houſe conſumed, my wife and children perſecuted. To ſee an unjuſt war commenced againſt Pompey; the magiſtrates killed; and the citizens ſlaughtered. To behold my brother's houſe razed; Tuſcany deſolated; and multitudes diſpoſſeſſed of their dwellings, and eſtates. Yet, all theſe violences were ſucceſſively agitated by Clodius. Still inſenſible of your woes, he continued to rage, ſtill he preſſed on. Nor, were the city, all Italy, the provinces, kingdom upon kingdom; limits ſufficient, to bound his luſt of dominion. In his own houſe he dared to frame [bw]laws, which tended to make us the ſlaves even of our own ſlaves; and he reckoned that in this year, if he could carry thoſe laws, no man ſhould be juſtly able to ſay any thing he poſſeſſed was his own, when Clodius required the ſurrender to his uſe.

None of theſe proceedings were oppoſed, except by Milo. Pompey indeed, was the perſon moſt capable of oppoſing them; but a recent reconciliation with Clodius, ſeemed to be an obſtacle to that interference. The power of Ceſar, Clodius conſidered as his own, and my own misfortunes ſhew, that he deſpiſed the opinion of the honeſt and the virtuous. Milo alone, defied him. And the Gods of Rome, as I have before obſerved, permitted this frantic wretch to form his black deſigns at a time when Milo was the only means by which your deliverance

[bw] [BW] NOTE LXIX.

from

from the peſtilential evils that hovered over your heads, could be effected. The authority of the ſtate, was then not ſufficiently ſtrengthened, to avert the impending ruin.

Do you imagine that the Pretorſhip of Clodius, was the ſeaſon for the ſenate to reſtrain his furious proceedings? Alas! the weak oppoſition made by the ſenate, when Clodius was in a private ſtation, and unaided by the authority of the ſtate, is a complete anſwer. The Conſuls; what might have been expected from them, in an attempt to reſtrain ſuch a Pretor? In the firſt place, had Milo fallen, Clodius would have made his own Conſuls. But otherwiſe; where is the Conſul, who would have dared to oppoſe him a Pretor, whom a Tribune only, he muſt have remembered to have overpowered a man of Conſular dignity. All therefore, was within Clodius' reach; there was nothing that he could not firmly poſſeſs. By a new law, found among the reſt of the Clodian acts; our ſlaves were to become his freedmen. In ſhort, unleſs the Immortal Powers had puſhed on a weak and effeminate creature, to a deed ſo deſperate as attacking the life of a brave man; extinct had been the Roman glory.

Had Clodius been Pretor, had he been Conſul, how long do you think, theſe walls, theſe temples, ſuppoſing them to have ſtood till the day of his Conſulſhip; how long after do you imagine, they would have remained unviolated? Do you vainly ſuppoſe, that the living Clodius would have been more favorable to you, than Clodius dead; whoſe very corſe excited a tumult, which under

under the direction of his aſſociate Sextus Clodius, ſet your courts on fire. Alas! what ſcene of ſharper miſery, or more pungent woe, what more dire cauſe of lamentation, was ever beheld with mortal eyes! The temple of the holineſs, the dignity and wiſdom, of your counſels and of public juſtice, the chief ornament of your city, and your allies; [bx]the aſylum of all nations polluted. Yes my Lords, the awful tribunal, to which all the Roman people, with one common conſent, aſcribed their fate; was firſt polluted, then fired, and at length conſumed, without a remaining veſtige.

Nor, was this the act of a giddy and ignorant multitude; but the daring of a deſperate leader. And, as he could attempt ſuch things for his friend when dead, what would he not have dared to perform under his immediate auſpices? Sextus, no doubt, fixed on the ſenate houſe, for the depoſitory of this filthy carcaſe; that it might in death, complete the deſtruction of thoſe auguſt ſeats, which through life, the man had ſo labored to deſtroy. Who then ſhall pretend to enquire after the tranſactions of the Appian way, yet throw a veil over theſe proceedings?

Who now will ſuppoſe, that the forum could have ſtood againſt the living efforts of Clodius; whoſe putrid corſe, brought down your ſenate houſe to the ground? Revoke this Clodius from the infernal ſhades. Call him forth again to nature. And ſee, if you are better able to

[bx] [BX] NOTE LXX.

reſiſt the man, with all his powers of life, and animation; than you were to oppoſe his inanimate, his lifeleſs trunk. Unleſs you will call that inept, that vain ſally, when you ran with torches to the courts, with [by] ſcythes to the temple of Caſtor, and traverſed the forum, ſword in hand; unleſs, I ſay, you call that expedition, by the terms of oppoſition, and reſiſtance? Nay, you have beheld your citizens ſlaughtered, and, a public aſſembly attacked with arms, while they were attentively liſtening to [bz] the ſpeech of the Tribune, Marcus Celius. A man, bold in the defence of his country, firm to his principles, deſirous of the eſteem of all good men, and devoted to the authority of the ſenate. And, in the preſent inſtance, whether ariſing from the perſecution, and hardſhips of Milo, or from his ſingular good fortune; you have beheld in that worthy Tribune's conduct toward Milo, a glorious exertion of divine and matchleſs faith, of honor, and of integrity.

But, here my Lords, reſts the defence. Too much has been, perhaps, already urged, and, the [ca] digreſſions alſo, may have exceeded their proper bounds. What remains then, but that I ſhould implore of you, to extend to a brave man that mercy, which he diſdains to aſk? Yes I, my Lords, though againſt his will, implore, intreat, conjure, your favorable ſentence. If, in the general flood of tears cauſed by Milo's unhappy ſituation, his eye alone has never ſtreamed; if, one voice, one

[by] [BY] NOTE LXXI. [bz] [BZ] NOTE LXXII.
[ca] [CA] NOTE LXXIII.

countenance,

countenance, one firm, unchanged appearance, has been viſible in him throughout the whole courſe of his trial; yet let not theſe circumſtances obſtruct your mercy. They are the indications of a gallant ſpirit; and ſhould rather urge, than reſtrain your benevolent feelings. If, in the gladiatorial engagements, among men of mean order and condition, we deſpiſe and contemn the timid, and the ſuppliant begging for life; and are captivated by the ſtrong, the powerful, and the brave, who, inſtead of ſhunning, meet the ſtroke: if I ſay, in the caſe of the meaneſt combatant, we extend our compaſſion to him who ſcorns to aſk, rather than to thoſe who implore our pity; how much more powerfully ſhould we extend the benign influence of mercy, to a brave and noble Roman?

I own, my Lords, that the expreſſions of Milo which I daily hear, affect me greatly. — "May my Countrymen," cries he, "may the Roman people proſper; may they "flouriſh, be bleſt, and ever enjoy a happy ſecurity. "This great city, my country ever dear to me; long "may thoſe flouriſh, whatever be my own fate. In every "caſe, may the republic, may my fellow-citizens, enjoy "that peace and tranquility, which though enjoyed "through my means, I am denied to participate. In regard "to myſelf, I yield to their determination; at their com-"mand, I retire. If, to enjoy the happineſs of living "under a free, and virtuous republic, is denied me; I ſhall "nevertheleſs experience the conſolation, of being deli-"vered from a corrupt and ſhameful government. And "the firſt free and civilized nation, that my lot ſhall throw "me upon; there will I fix my abode. Alas! in what

" fruitleſs perſuits, have I been engaged! How fallacious
" have proved, all the hopes I ever entertained! How
" vain, how futile, all my expectations! Could I, who
" being a [cb]Tribune, not only obeyed the authority of the
" ſenate, but when oppreſſed, ſuccored that authority;
" who defended your "knights, when incapable of their
" own defence; who flew to the aid of the virtuous, when
" overwhelmed by the power of the Clodian faction: could
" I imagine, that the protection of thoſe men, would ever
" be wanting to myſelf? Could I ſuppoſe," ſays Milo,
" that the country, which is indebted to me for a Cicero;
" would ever have refuſed to harbor, the benefactor of ſo
" great a gift? Where is now," cried he, " that ſenate,
" to which we have both ſo ſedulouſly devoted ourſelves?
" Where now, the Roman knights; yes, your knights,
" my Friend? Where, the acclamations of all Italy?
" And where, O where, my Cicero! that eloquence,
" that penetrating eloquence; which has ſo often deli-
" vered the oppreſſed from danger? Shall alas! that
" eloquence prove unavailing to him alone, who has ſo
" repeatedly provoked dangers, and even death, for
" your ſake?"

WITH a voice and manner, very different from mine, my Lords, were theſe ſad truths delivered to me. Not with lamentations and tears, ſuch as my weakneſs occaſions in the preſent relation; but with that ſteady, that firm deportment, he now bears. He does not pretend, he denies, that what he has done was for the ungrateful: the

[cb] [CB] NOTE LXXIV. " [CC] NOTE LXXV.

dangers

dangers he has braved, were for the fearful and the circumſpect. He wiſhes you to remember too, that for the ſecurity of ſuch men, he affected popularity, and drew over to his intereſt, the mob of Clodius; which, then menaced you with ruin. That he not only ſubdued them by his courage, but reduced them to order, [cd]at the expence of his three patrimonial eſtates. Thus, as by his largeſſes he ſoftened the plebeian ſpirit, ſo he is conſcious, that by his eminent ſervices to the republic, he has juſtly obtained your approbation. He had indeed, the happineſs to enjoy, great and repeated marks, of the ſenate's favor toward him. And whitherſoever his fortunes may bear him, great muſt be his felicity, and his glory; that thoſe marks of diſtinction which you, and all your orders, by your votes, your ſpeeches, and your applauſe, heaped upon him; will be indelibly, inſeperably, and for ever annexed, to his character.

MILO has not forgot, that at his election for Conſul, the ceremonial of the cryer's oration, a ceremonial he did not at all affect, was withheld: but then he remembers, that his elevation to the Conſulate, the darling object of his ſoul, was obtained by the unanimous ſuffrages of the whole Roman people. And he is conſcious, that if the force which now ſurrounds the court, is inimical to him; the reaſon muſt be an imputation of ſome crime, to which his heart is a ſtranger. To all this, he adds a truth, too obvious to be denied, that the actions of the brave and wiſe, proceed from the love of virtue, not from the proſ-

[cd] [CD] NOTE LXXVI.

pect

pect of reward. That, for his own part, every act of his life has labored for ſome great and good end; and that he thinks the ſummit of happineſs, is to be honored by his fellow-citizens for virtuous deeds. He is alſo of opinion, that to have ſerved one's country, however ungratefully rewarded; is not an unenviable condition. But he obſerved, that of all rewards, if there was a mode of proportioning them, the chief is [ce]glory.

Brevity of life, ſays Milo, is amply compenſated by an eternity of fame. Thus, men are perpetually repreſented in their abſence; when life is no more, they are ſtill companions for the living; and upon the wings of fame, we are wafted to an immortality, reſembling the Gods. The records of my fame, ſays Milo, ſhall remain to the moſt diſtant poſterity. The Roman people, and the people of all nations, ſhall proclaim my deeds to lateſt time. Even now, when the torch of calumny is blazing abroad in the hands of my enemies, at this very inſtant am I honored with the congratulations of each claſs of mankind, and celebrated in the ſpeeches of their orators. The feſtivals inſtituted upon this occaſion by the [cf]Tuſcans, however, I ſhall not remark. Three months have ſcarcely elapſed, ſince Clodius was killed; and now, not only the fame of the act, but the joy thereby excited, has pervaded your empire to its utmoſt bounds on every ſide. Thus, ſays he, have I eſtabliſhed a name, the glory of which ſhall overſpread the face of the earth, and there take up an everlaſting abode. And now, the

[ce] [CE] NOTE LXXVII. [cf] [CF] NOTE LXXVIII.

fate

fate of this poor weak body, is to me, become a matter of the greateſt indifference.

Discourses of this nature, my Lords, were the conſtant ſubjects of my private conferences with Milo. And, I now relate them with a tranſport of pleaſure. Yes, my friend, your virtues are a theme, upon which I can never ſufficiently expatiate. But, the greater, the more godlike they are; the greater, the more exorbitant, the grief of a ſeparation from them. Nor ſhall I, when deprived of you, have the common conſolation of beholding thoſe with indignation, who inflict ſo deep a wound. Not from my enemies, but my friends, the deadly ſtroke muſt come: From thoſe who are entitled to my gratitude; and in no ſhape, deſerve my reſentment.

But even this affliction, my Lords, and a greater could not aſſail my heart ſhall never render me ſo deeply ungrateful, to forget the obligations, you have conferred upon me. Yet, ſhould you forget both them and me; or, ſhould I, in any manner, have incurred your diſpleaſure; let me, let my life rather than Milo's, be the object to appeaſe your indignation. And, be aſſured, I ſhall think I have lived to a noble purpoſe, and cloſed my days with honor; if I am permitted to die, rather than to behold ſuch an unmerited fate befal my friend.

One conſolation, my Titus, ſtill remains. The offices of a friend, I have faithfully diſcharged. No act, no circumſtance, which friendſhip could ſuggeſt, benevolence inſpire, or affection prompt; have I failed to perform. Yes,

Yes, for thee, my Titus, have I bared my boſom to the ſtroke of power; for thee, and to protect thee againſt thy enemies, ſpurned liberty and life. A ſuppliant, a proſtrate ſuppliant in thy cauſe, have I been. The fortunes of myſelf and family, have I riſked, upon the event of thine. And, in this awful hour; I hold my life as nothing, in compariſon of thy ſafety. What then remains? Is there an argument unpleaded, an act unperformed, an incident unexplored, whereby I can aid your cauſe; except that, of ſharing in your fate? This indeed, common gratitude demands; and I therefore beſeech, I implore, my Lords, that the obligations I already owe you, may be increaſed by the pardon of my friend; or, by his fall, annulled for ever.

STILL ſuperior to his fate, behold Milo! Still unmoved, even by this torrent of tears. What fortitude, what dignity of ſoul! Alas! he deems nothing baniſhment, but what ſevers him from virtue! Death itſelf to him, is but a common incident of nature; no object of puniſhment! Let him think ſo ever; and, may the ſame dignity of mind, which was born, expire with him! But how, my Lords, are you to determine? With what feelings, can you condemn Milo? Can you reflect, on the benefits you have derived from his virtues; and, at the ſame time, caſt him forth from among you? Or, can there be, Fellow Citizens, ſo noble a ſoil for the diſplay of virtues, as that wherein they firſt bloſſomed? I call on you, ye Heroes! on you, who have ſo freely, ſo unſparingly bled, for your country's honor! On you, Centurions! Soldiers of Rome! Braveſt, and beſt of Men!

On

On you I call, and in the hour big with the fate of my friend! On you, who behold the ſcene, with arms in your hands, guarding this aſſembly, I call! And, of you, I aſk: Whether ſuch ſtupendous virtue, ſuch undaunted courage, ſhall be thruſt forth, expelled, extirpated, from your city?

O WRETCHED, miſerable Cicero! Shall future ages record that you Milo, could prevail on thoſe very men to whom I now appeal, to reſtore me to Rome; and, that in a viciſſitude of fortune, I was unable to preſerve you to your country? How, alas! ſhall I anſwer this to my children, who think they never can be orphans, while Milo lives? How juſtify myſelf to you Quintus, my abſent brother, but once my aſſociate, in the common dangers of the times? How alas! be able to tell you, that all my intereſts with thoſe, who were the means of my own preſervation, could not ſecure the ſafety of Milo? In what a cauſe, O Heaven! have I failed? In defending an act, the admiration of the univerſe. And, who were the men, could not be prevailed upon? The very men who were benefited by the death of Clodius. Who the advocate? CICERO HIMSELF.

WHAT wickedneſs have my conceptions teemed withal? Of what crimes have I been convicted? I diſcovered, I proſecuted, I diſſolved a conſpiracy, fraught with the ruin of the republic. Alas! from that fountain, all my ſorrows flow! But wherefore, did you decree my return from baniſhment? To be a witneſs to the baniſhment of thoſe, who were the inſtruments of my return? Spare

me, I beſeech you ſpare me, my Lords, the mortification, of feeling greater compunctions of diſtreſs by my reſtoration to Rome, than at my ſeparation from thence. But how, indeed, can you ſay that I am reſtored to my country; when I am torn from thoſe, who effected my return? O! that the Gods! with reverence to my country I ſpeak, leſt my pious declarations for Milo, ſhould be conſtrued a libel upon you; O, that the all-powerful Gods had permitted, that [cg]Clodius ſhould have lived, been Pretor, Conſul, Dictator; rather than that I ſhould have beheld ſuch a day of calamity to Milo! Immortal Gods! Is not this the inſtant, that the preſervation of a brave man, waits upon your ſaving power? He waves the queſtion. The traitor then ſuffers the juſt penalties of his crimes. Let me however, rather ſuffer thoſe penalties I have not deſerved. And ſhall ſuch a man, the man born to be the deliverer of his country; be refuſed the privilege of ſuccoring that country in future, or of yielding his laſt breath in his native land? Can you ſuffer ſuch glorious monuments of his fame, to remain among you; and yet refuſe his body, a reſting place within your [ch]empire? And is there to be found a Roman, capable of voting the expulſion of ſuch a fellow-citizen; whom expelled, every city of the world would contend to adopt? Yes bleſſed, I pronounce, ſhall that nation be, which receives and cheriſhes him! Accurſed your own, if you reject him! Thrice accurſed I ſay, in his loſs! But, I can no more—Tears, choke the powers of utterance; and the brave Milo, forbids ſuch an unmanly deploration.

[cg] [CG] NOTE LXXIX.

[ch] [CH] NOTE LXXX.

My tears ſubſide. Let me now my Lords, demand your free, unbiaſſed determinations. Milo likewiſe, calls upon you, to deliver your genuine, your unconſtrained opinions. What you think, boldly ſpeak. Believe me, my Lords, a ſentence delivered with firmneſs, and founded upon the principles of juſtice and truth; will be the moſt acceptable to [ci]our Great Conſul. To him, who in framing this court ſelected you, becauſe of yourſuperior wiſdom, virtue, and fortitude.[ck]

[ci] [CI] NOTE LXXXI.

[ck] [CK] NOTE LXXXII.

MARK ANTONY.

TWO PHILIPPICS.

ARGUMENT

OF THE FIRST

ORATION, OR PHILIPPIC,

AGAINST

MARK ANTONY.

MARK ANTONY, was the firm friend and ally of Julius Ceſar, at the period when Ceſar was baſely aſſaſſinated. The concern manifeſted by Antony on that occaſion, greatly increaſed the popularity which had always attended his character. Being at that juncture, in poſſeſſion of the Conſular office, his power became ſo formidable, and particularly to the enemies and aſſaſſins of Ceſar, that they either ſhrunk into retirement at Rome, or fled from the city. Cicero was one of thoſe who fled, and had proceeded as far as Sicily on his way to Athens, when he received ſuch a favorable account of Antony's proceedings, as induced him to alter his deſigns, and return to Rome. But before he reached that city, he received different accounts. Nevertheleſs, having proceeded very far on his return; and his perſon in ſome meaſure in the power of Antony, he continued his journey to the capital; where he arrived on the eve of the day appointed

pointed for the meeting of the ſenate, to decree triumphs to the memory of Ceſar. Cicero, diſliking the complexion of that day's meeting, was not preſent. Fatigue, indiſpoſition, and other like cauſes were offered; which Antony did not think proper to accept. But in the courſe of debate, he uttered a very vehement and acrimonious ſpeech againſt Cicero; threatning to bring him from his houſe by force, and to lay the houſe level with the ground, if he did not attend the ſenate directly. Cicero however, did not attend, nor did Antony put his threats in execution. The next day Cicero appeared in the ſenate; and delivered the preſent oration. He there explains the cauſes of his departure and return; and pleads his excuſe for not attending the preceding day. The oration was delivered on the firſt day of ſeptember, of the year ſeven hundred and nine, U. C. the ſixty-third of Cicero's age, and almoſt ſix months after the death of Julius Ceſar.

FIRST

FIRST

ORATION, OR PHILIPPIC,

AGAINST

MARK ANTONY.

ADDRESSED TO THE SENATE.

'IF, Conſcript Fathers, the gracious indulgence I have always received from this venerable houſe, is now continued to me; I ſhall, with your permiſſion, and previous to my entrance upon the topic of public buſineſs, take the liberty of laying before you, the motives of my abſence, and of my return to Rome.

WHEN a late event had opened to my hopes, a proſpect of the republic being reſtored to your government and authority, I conſidered myſelf indiſpenſibly bound to fix my ſtation in this city. As a ſenator, and a man of conſular rank, I watched over your ſafety with ſuch vigilance, as I may without vanity ſay, favored almoſt of ubiquity.

* [A] NOTE I.

Nor have my eyes been once turned from contemplating your preſervation and benefit, ſince we were convened in the Temple of Tellus.

At that meeting I exerted every faculty, in order to diſſeminate the ſeeds of peace. I quoted the ancient example of the [b]Athenians, adopting the very term uſed by them on a ſimilar occaſion; and delivered my ſentiments afterward, in favor of an eternal oblivion of every principle of diſcord. By the ſoothing words of Antony, by his ſingular propriety, and by the aid of his little [c]infants; peace was then eſtabliſhed with the principal ſenators.

What immediately followed, was conformable to this happy opening. To all the deliberations held on public affairs, Antony ſummoned the principal citizens. He preſented the moſt excellent plans, and anſwered every queſtion that enſued, in a manner which did him infinite honor. No part of Ceſar's Commentaries had then been found, but what was of public notoriety. When he was required to anſwer, what exiles were reſtored? One exile only, ſaid he, has been recalled. When aſked, what immunities granted to the people? None, he declared. I am willing alſo to bear witneſs, how readily he aſſented to the decree, moved for by that noble ſenator Servius Sulpicius, which prohibited the expoſure of any act, or the publiſhing any decree of Ceſar, on the capitol or elſewhere, after the Ides of March. Numberleſs other acts,

[b] NOTE II.

[c] NOTE III.

equally

equally meritorious, are I confeſs, juſtly aſcribed to Antony. But one, above the reſt, I am anxious to mention; becauſe he gained ſingular honor, in the adoption.

THE office of [d]Dictator, which had been borne with regal ſway, he utterly [e]extirpated from the conſtitution; and without even a ſuggeſtion from you. The act he framed upon that occaſion, being produced to the ſenate, not only met with the higheſt approbation, but was followed by a vote of thanks, in terms of the greateſt gratitude. A flood of happineſs ſeemed to pour upon the community; and the permanency of that happineſs to be ſecured, by the extinction of regal power. The Dictatorſhip having recently cauſed ſuch miſchief to the ſtate, by the laſt poſſeſſor's rendering the office perpetual and arbitrary; Antony aboliſhed even the title of Dictator. Giving thereby, a noble pledge of his intentions to eſtabliſh you, a free people.

BY the ſacrifice of a few inconſiderable perſons, the ſenate ſeemed in a ſhort time delivered from every appearance of danger. Among others, that wretched vagabond who had aſſumed the name of [f]Caius Marius, Antony very juſtly condemned to the rock. All this he performed in conjunction with his colleague. And many other acts of great merit, performed by Dolabella in Antony's abſence, were ſuch as Antony would I believe, if preſent, have moſt readily concurred to adopt. When ſedition lurked in the city, a ſedition that afterward diſcloſed itſelf in the face of open day; when the ſeditious made a repetition of Ceſar's fu-

[d] [D] NOTE IV. [e] [E] NOTE V. [f] [F] NOTE VI.

neral,

neral, burning the [g]already entombed; and when the rage increaſed by the acceſſion of abandoned men, who with the aid of the ſlaves, threatened the deſtruction of your city: Such was the excellent conduct of Dolabella, ſuch his judicious manner of overturning the [h]execrable pillar they erected; I am at a loſs to account for that great defection, which ſoon after appeared in his conduct.

But alas! how changed the complexion of affairs, at the promiſed meeting of the ſenate, in june! Your imagined power had vaniſhed, the people's authority was become a mere farce, and all bore the marks of an excluſive authority in Antony. The Conſuls elect, now declared themſelves afraid of attending their duty in the ſenate. Thoſe men, who had been the [i]deliverers of their country, and applauded by the Conſuls themſelves, upon every public, as well as private occaſion; were driven from the capital. The [k]veterans alſo, which your order have ſo anxiouſly ſupported on every occaſion, he had ſeduced to his aid. And not upon the principle of defending the property they enjoyed through your bounty; but by the irreſiſtible lure of freſh plunder.

Desirous of being a hearer, rather than the ſpectator of ſuch proceedings, I withdrew; having in the mean time, [l]a lawful privilege of abſence. My intention however, was to return by the [m]kalends of january; which was the ſuppoſed time of the next meeting.

[g] [G] NOTE VII. [h] [H] NOTE VIII. [i] [I] NOTE IX.
[k] [K] NOTE X. [l] [L] NOTE XI. [m] [M] NOTE XII.

Having

HAVING thus, Fathers Conſcript, declared the reaſons for my ſeceſſion from Rome; I will now conciſely relate, a ſtill more extraordinary event, the cauſe of my return.

HEREIN I avoided [n]Brunduſium, the common paſſage to Greece; and for very ſubſtantial reaſons. In the month of auguſt however, I arrived at Syracuſe: the paſſage from thence into Greece, being eſteemed the beſt. Yet, notwithſtanding the tye of amity in which I was bound to the Syracuſans, and their earneſt deſire of detaining me; one night was all I would remain among them. I was apprehenſive that my ſudden arrival might create ſuſpicions injurious to my friends, if I tarried in their city; and accordingly ſet ſail. The wind forced me into [o]Lucopetra, a promontory of Reggio. From thence, I endeavored to ſteer my courſe directly for Greece; but the wind veering to the ſouth, I was compelled to return to Reggio. Being prevented ſailing that night, I remained in the houſe of my particular friend Publius Valerius. The weather continuing unfavorable all the next day, many of the principal citizens of Reggio honored me with their viſits: among whom were ſeveral, who had lately returned from Rome.

HERE, I received the firſt intelligence of Antony's [p]proceedings in the aſſembly convened at Rome; and my firſt idea of return, aroſe from the pleaſing aſpect of that meeting. Soon after, Brutus and Caſſius publiſhed their edict.

[n] NOTE XIII. [o] NOTE XIV. [p] NOTE XV.

Though

Though my attachment to them is rather of a public, than a private nature, that ſtep ſeemed to me founded in right. I heard beſide, but indeed, the harbingers of good tidings too frequently add others of their own, to enhance the value of communication; I heard however, that all differences at Rome were accommodated, that there would be a full meeting of the ſenate in auguſt; and that Antony, having abandoned his evil counſellors and [q]relinquiſhed Gaul, intended to act in obedience to the ſenate's authority.

SUCH an ardent deſire of returning to Rome then ſeized me, as outſtripped the celerity of the winds, and the force of the rowers. But how ſhall I deſcribe the horror which ſeized me, when in paſſing through Velia I met Brutus? I even thought myſelf criminal, in returning to that city whence Brutus had been expelled; and that nothing but the moſt egregious folly could lead me to expect ſafety for myſelf, where denied to him. But Brutus, ſeemed to be otherwiſe affected. With a mind, though juſtly and nobly conſcious of the great and glorious act he had performed, he waved every conſideration of his own perſonal wrongs; but expatiated largely, on the ſtate of the public concerns.

FROM Brutus, at Velia, I received the firſt intelligence of the oration delivered by Lucius Piſo before the ſenate, in the kalends of auguſt; in which, he was ſo ill ſupported by thoſe from whom he might have expected aſſiſtance.

[q] NOTE XVI.

From

From the evidence of Brutus, what can be of greater credibility! and indeed, from univerſal report, I heard alſo, that Piſo derived great honor from that oration.

'I REDOUBLED my diſpatch therefore, that Piſo, who had been ſo ſhamefully deſerted, might not be long without one friend, at leaſt. Notwithſtanding which, I deſpaired of attaining the end of my journey, in time for the meeting. But I was determined however, to accelerate the opportunity of offering my congratulations to the republic. Not that I preſumed upon working any material good; indeed I neither expected that, nor could I hope to ſurpaſs the merits of Piſo. But I was willing, in caſe of any accident happening to my life, which fate and nature, as well as other circumſtances, ſeemed to threaten; that I might be able to leave the preſent laſting teſtimony, of my inceſſant deſire to ſerve my country.

PRESUMING, Fathers Conſcript, that this account of my abſence, and return to Rome, will merit your approbation; I ſhall take the liberty, before I treat of public affairs, to deſire your indulgence a few moments, in regard to the inſult I received yeſterday from Mark Antony; from Mark Antony, whoſe friend I profeſs myſelf. For, I have never forgot that I am bound to him, for ſome offices of friendſhip.

BUT what cauſe can be aſſigned, for the ſevere attack he levelled againſt me yeſterday in the ſenate? Was I

' [R] NOTE XVII.

the

the only abſent member? Was the houſe never known ſo ſcanty of members before? Or, was the buſineſs of the day ſo important, that the abſence of a poor, diſtempered member, muſt be a ſubject of bitter invective? Was [s]Hannibal at the gates; or a treaty with [t]Pyrrhus, in agitation? on which laſt occaſion, as hiſtory tells us, the poor old, blind, and brave Appius, attended in his litter. [u]A decree of ſome public feſtival, or inſtitution, was perhaps, before the ſenate; and in ſuch caſes, the houſe is uſually full? I believe, Conſcript Fathers, I need not ſay, that the full houſes in thoſe caſes, ariſe not ſo much from fear of mulcts upon non-attendance, as from the attention of friends and parties, intereſted in ſome particular object. The ſame rule ſubſiſts, as I apprehend, in reſpect to the decree of a triumph. So little concerned are the Conſuls, about the number of ſenators on ſuch occaſions, that any member of the ſenate is free to abſent himſelf. Knowing this to be a general practice; and being myſelf, greatly indiſpoſed by travelling, I ſent through friendſhip, though ſorry to abſent myſelf, what I thought a proper excuſe to Antony.

But Antony, regardleſs of all this, declared in your preſence, his intention of forcing my houſe. His wrath indeed, roſe to a moſt unbecoming degree. Yes, Conſcript Fathers, ſuch was his intemperate reſentment, he threatened the deſtruction of [w]an edifice built by a public decree of your order; and that his band of workmen

[s] NOTE XVIII. [t] NOTE XIX. [u] NOTE XX.
[w] NOTE XXI.

were

were then under orders, to demoliſh the fabric. When did a ſenator of Rome, ſuſtain ſo great a diſgrace? When was a like offence, if my abſence was an offence, puniſhed beyond the forfeiture of pledge, or pecuniary fine? Had Antony known what I could advance in my defence, he would not, I am ſure he would not, have proceeded with ſuch auſterity.

And do you believe, Senators, that though you reluctantly joined in a decree, to mix the *parental ſacrifices with the feſtival, or thankſgiving; that I ſhould be capable of introducing inexpiable ſacrifices into the Roman government? Or, that my heart could ever join, in eſtabliſhing ſupplications for the dead? Peace be to his manes, who compaſſed theſe events. But had he been a Lucius Brutus, whoſe poſterity now flouriſhes, at a period five hundred years remote from his own; had he been that Lucius Brutus, who freed his country from the yoke of legal ſlavery, by an act of exalted virtue ſimilar to that of his preſent noble deſcendent; he never ſhould have obtained my conſent, to mix the ſacrifices of the dead with thoſe offered in honor of the Immortal Gods: or, that any funeral obſequies whatever, ſhould be entitled to divine honors.

All this I ſhould have ſaid, Venerable Senators, with a view, that if any ſtill more grievous misfortune ſhould afflict this nation, as war, peſtilence, or famine; I might be the better able to defend myſelf. Part of thoſe evils

*[X] NOTE XXII.

has already aſſailed your ſtate; the remainder, I fear, is not far diſtant. Still I ſhall pray, that the eternal Gods may abſolve, both the Roman people who diſapproved, and your order in particular, who reluctantly made this decree! As to other evils which threaten your ſtate; am I not to mention them? Yes, Noble Patricians, I dare, and ever ſhall be bold to ſay, in contempt of death, and every ſpecies of ſuffering; whatever relates to the defence of your ſafety and honor. Nor, while I enjoy the privilege of ſpeaking before you, ſhall fear ever lay a reſtraint upon my tongue.

I WAS, no doubt anxious, to attend the ſenate's meeting in auguſt. Not that I preſumed, my preſence could have effected much. But I was apprehenſive, leſt there might not be found one of Conſular rank, worthy of his own dignity, and the republic's honor. And my ſorrow is indeed inexpreſſible, to find Lucius Piſo, propoſing an act of the higheſt advantage to the ſtate; totally unſupported by thoſe, who owed their elevation to the republic. And do you ſeriouſly imagine, the Roman people raiſed you to the higheſt rank in the republic, with a view to your dignity alone? To derive no benefit to themſelves? Nevertheleſs, Conſcript Fathers, no man, either with his vote, his countenance, or his favor; joined in this glorious motion of the noble Piſo. The yoke of ſlavery was once ſo fixed upon our necks, that reſiſtance was vain; but voluntary ſlavery like the preſent, is a ſtate wretched indeed!

NOR did I expect, that every man of Conſular dignity, ſhould

ſhould ſpeak without reſerve on that occaſion. Various cauſes I knew, muſt operate to prevent ſuch univerſal candor. The ſilence of ſome I excuſe; Ceſar had obliged them. But, there are among you men, whom no allegations can excuſe. To inſinuate a ſuſpicion of diſhonor againſt any member of this noble aſſembly, affects me moſt ſenſibly. But I muſt tell you, however painful the circumſtance, that ſome of you, not from fear alone, which is itſelf a very baſe motive; but from other ſtill more infamous conſiderations, are ſuſpected by the people, to have been wanting to your own and the republic's honor. Let me however, render to Piſo, the tribute of applauſe ſo juſtly his due. And I do, moſt ſincerely thank him; who, though he could not effect what he knew was right, yet urged the moſt vigorous meaſures to ſerve his country.

I HAVE now, Conſcript Fathers, nothing more to add on theſe points; but am to crave a repetition of that indulgence, you have ſo often honored me with on former occaſions; the hearing with favor and attention, what I am permitted to offer to this venerable houſe, however you may be diſpoſed to act.

IN the firſt place, I readily agreed [y] to confirm Ceſar's acts. Not becauſe, in my judgment I approved them; but becauſe the peace and tranquility of the empire, hangs upon our confirmation. Nevertheleſs, I could have wiſhed to ſee Antony here, unattended by his [z] particular friends.

[y] [Y] NOTE XXIII. [z] [Z] NOTE XXIV.

If indiſpoſition, or unfitneſs for buſineſs, was an inadequate excuſe for me yeſterday, ſurely ſuch an one is ſtill more ſo, in reſpect of his abſence to-day. I wiſh however, that Antony, or rather that you, moſt honored Senators, would teach me the principles whereon he means to defend [aa]the authenticity of Ceſar's acts. Does he mean to prove them by the commentaries, fragments, manuſcripts, and looſe memorandums produced by Antony, nay merely ſuppoſed by him, to be Ceſar's? While the laws and ordinances, made by Ceſar, under the ſanction of the republic, and graven on their perpetual tables, are annulled and aboliſhed? For the acts of Ceſar, under whatever name qualified, are in my eſtimation, no other than the laws of Ceſar. Otherwiſe, if Ceſar made a promiſe, the ſtate muſt be bound to provide for, and perpetuate that promiſe. Now all the promiſes alledged to be Ceſar's, could not poſſibly be performed; as in that caſe more remained to be fulfilled after his death, than were granted by him during his whole life.

But I have no intention of ſhaking your determinations on this head. I mean to ſupport the illuſtrious decrees of Ceſar, with my beſt powers. Still I could wiſh, [ab]the treaſure lodged in the temple of Ops had not been removed. The ſeizure of that, was a violent meaſure. And not being reſtored to the original owners, I wiſh the treaſure had been applied to the uſe of the ſtate at this juncture. But if Ceſar's obligations were diſcharged by that means, I am quite ſatisfied.

[aa] [AA] NOTE XXV.

[ab] [AB] NOTE XXVI.

AGAIN, I preſume to aſk, whether the decrees of a man preſiding over your republic with imperial power, do not come more properly under the denomination of his acts, than of his laws? The acts of Gracchus, you all know, are called the Sempronian laws; thoſe of Sylla, the Cornelian. The acts publiſhed by Pompey in his third Conſulate, what are they but his laws? If you had aſked of Ceſar what he did in his capacity of dictator and civil magiſtrate, you would have been anſwered; he publiſhed many very important laws. In reſpect to the notes, he would either have altered or ſuppreſſed them; or if he had iſſued them, he would not have reckoned them among his acts. Yet, for the reaſons before-mentioned, I agree to receive them as ſuch; I am ready to obey them.

BUT in reſpect of his laws, or rather his acts, I think we cannot do better than adopt them. What law could be more uſeful, more wiſely framed, or more beneficial to the republic, than that long deſired act, limiting the Pretorſhip of a province to one year, and the Conſulſhip to two years? Do you mean by the abrogation of this act, to ſhew your deſire of legiſlatizing the acts of Ceſar? Or, what is your deſign?

YOUR addition alſo of a third ſpecies of judge; what is that, but a blow levelled at the very foundation of Ceſar's laws? and you, who call yourſelves the defenders of his acts, would you not be more properly ſtiled, the deſtroyers of his laws?

CESAR made notes, and preſerved ſome few memorandums;

dums; mere incidents to aid his memory. Theſe I ſuppoſe, are notwithſtanding, to be eſtabliſhed as his acts; and however ill digeſted, or injudicious, to be defended and maintained. While thoſe proceedings which ſolemnly paſſed in preſence of the Comitia, are not even to be mentioned among his acts.

And what is the innovation of this three-fold juſticiary? A new acceſſion of power to the Centurions. For what reaſon? The Julian law, the precedent one of Pompey, and the Aurelian law, all precluded men of this claſs. A certain qualification of eſtate was neceſſary, even to the order of knights. By ſuch regulations, the power of judging remained, as heretofore, in the hands of the worthieſt and moſt reſpectable men of the ſtate. But theſe are not the men for my purpoſes, ſays Antony. With me, whatever order of men poſſeſs the power of governing, ſhall alſo poſſeſs the power of judging. Yet nevertheleſs, ſhould he impower even the knights, an order of ſo much greater dignity than his centurions, to ſit indiſcriminately as judges; every man would condemn him. The indiſpenſibly-requiſite qualities of a judge, are real dignity, and independence. But theſe are not the judges Antony requires. His band of [ac]LARKS is much more competent to the buſineſs. Judges of his own ſelection are, no doubt, the only ſecurity to his followers. O! ill-ſeeming honor! to be a judge, without the power of judging. For, the ſcope of Antony's new law arrangement, is clearly no more,

[ac] [AC] NOTE XXVII.

than

than to introduce a ſet of men, who dare determine only as he directs.

IMMORTAL GODS! how groſſly are the framers of this law miſtaken? They will find that the natural obſcurity of theſe judges, will excite each of them to cover this defect, by the moſt ſevere determinations; and that each will labor to ſhew himſelf deſerving of a place among more honorable judges, than thoſe with whom his lot is caſt.

THE act indulging thoſe condemned for acts of violence or treaſon, with an appeal to the people; is another curious law. Law! might I not more properly, call this act, the diſſolver of all law? Who can there point out one inſtance, wherefrom the public are to derive the leaſt benefit? No man is accuſed by theſe laws; no man likely to be indicted upon them. Acts of violence and treaſon are not at this time, ſubjects for a court of judicature. The act perhaps was popular. I wiſh popularity was his object; but at preſent there is no oppoſition. All join heartily, in the cauſe of the republic.

FROM whence then aroſe this eagerneſs to eſtabliſh a law, infamous in the abſtract, and approved by no man? What can be ſo infamous and abſurd, as inveſting a criminal, condemned for [ad]treaſon, or any other violation of the dignity of the republic; with the power of appealing to his abettors in the crime? What can be the event, but a repetition of his malverſation?

[ad] [AD] NOTE XXVIII.

BUT

But why do I contend about this law; as if ſeriouſly intended to operate? This law is calculated expreſſly to prevent appeals. For where is the accuſer ſo raſh, to lay himſelf open to the violence of a mob, after having legally convicted the criminal? Or where is the judge, who would dare to condemn, in a caſe that muſt forthwith lay him at the mercy of a rabble? Not for the privilege of appeal therefore was this law framed, but for a more uſeful purpoſe: to aboliſh two laws not well ſuited to Antony's views. Yes, Conſcript Fathers, what other purpoſes could the abolition anſwer, but to encourage our youth to become turbulent, ſeditious, and deſtructive citizens; and to [ae]aid the Tribunitian fury? Which, being unreſtrained by the two laws againſt treaſon, would be capable of acting with impunity, the moſt daring outrages. Muſt then the laws of Ceſar, which adjudge the penalty of baniſhment to thoſe who have wounded the dignity of the republic, be abſolutely annulled? And are they not effectually ſo, by this power of appeal? I, Fathers Conſcript, concurred in ratifying, not only ſuch acts as were paſſed by Ceſar himſelf, but even thoſe announced ſince his deceaſe. Not that I approved them; but my deſire to promote peace, and the inexpediency of the times, were motives that ſuperſeded all oppoſition, in my breaſt.

[af]By a mandate from the infernal ſhades, were exiles recalled from baniſhment; the rights of denization conferred, not only on individuals but whole provinces, at a ſtroke; and others, by the ſame Lethean authority, freed

[ae] [AE] NOTE XXIX.

[af] [AF] NOTE XXX.

from

from taxes, and endowed with immunities. Thus, upon the evidence of one moſt renowned perſon; we confirm acts, which we know were framed in his own houſe. And ſhall we who heard, and hearing, approved the laws Ceſar promulged, and declared to be the eſſence of legiſlation; framed as well for the provinces as the republic; ſhall we, I ſay, now form a plan for ſubverting thoſe laws, yet confirm his acts? Still, Fathers Conſcript, I ſee no reaſon why we ſhould not examine into thoſe laws which have not received the formal aſſent of the ſtate; though we have not the ſame privilege in reſpect to thoſe which have. Many there are, as you Conſcript Fathers, well know, which were paſſed without the previous rule of promulgation; and even before they were reduced to any kind of form.

Some men will aſk why I, or any one of you, Conſcript Fathers, ſhould fear bad laws, while the tribuneſhip is ſo worthily poſſeſſed. We have, in that reſpect, ſay they, able and willing mediators; perſons who are willing to defend our religious and our civil rights; and we ought not to entertain one ſymptom of diſtruſt concerning their conduct. But Antony will ſay, what is religion, what are your tribunes to me? They have nothing to do with your preſent conſtitution. Your late conſtitutional forms are old and obſolete, we have new methods which anſwer our purpoſes much better. Poſſeſſion of the forum, of every avenue, and an armed force to maintain that poſſeſſion; theſe are my ideas of a conſtitution.

Well Sir, what next? My Friends, do you approve

of this law? Do you agree to that act? Shall they be inſcribed on the tables? We agree; let them be the laws of Rome. Suppoſe then, the magiſtrates proceeding in form, as: THE CONSULS ASK THE PEOPLE, IF THIS SHALL BE LAW? And, the right of concurrence, we derive from very ancient times. However, THE PEOPLE DECREE AS REQUIRED. Now let us ſee, who Antony calls the people? Not thoſe he excluded, I hope. What does he tell us is law? That, which force and arms eſtabliſh. This I pronounce, to be your future mode of government; and the friend of his country will always ſuggeſt every circumſtance that he thinks ought to be avoided. I am not afraid to riſk, even the credit of my preſent ſpeech, upon the truth of theſe predictions. The laws now before you, are as yet undiſpoſed of. I point out errors; do you reform them. I give the alarm; beware of force and arms.[ag]

THE conſiſtency of your character, Dolabella, requires, that you ſhould patiently hear me while pleading for my country. Not that I ſuſpect you of the contrary. I know [ah]the yielding eaſineſs of your nature. Nor do I mean to ſay any thing ſevere upon this occaſion. But cuſtom has eſtabliſhed proverbially, that in this particular, Antony has been fortunate. Though he would have been ſtill more fortunate, in following the ſteps marked out to him, by the Conſulates of his [ai]forefathers and his uncle. They ſay beſide, that Antony is grown petulant

[ag] [AG] NOTE XXXI. [ah] [AH] NOTE XXXII.
[ai] [AI] NOTE XXXIII.

and

and moroſe; and, I am too well adviſed, to provoke the anger and reſentment of a man armed with power, which he may uſe with impunity.

But the truth and juſtice of my propoſitions ſhall be ſo evident, that even Antony himſelf cannot reject them. And if I ſhould hereafter utter any reflections on his life and morals, which might inflame his paſſions, I ſhall nevertheleſs, adhere to my aſſertions. My practice has been ever, when an advocate for my country, [ak] to ſpeak with freedom, and unconſciouſneſs of danger. I will however, in the firſt place, deprecate his wrath; but if that muſt be poured upon me, let him not forget we are both citizens of Rome. Let him intrench himſelf in arms, if they are as he thinks, neceſſary in his circumſtances; but, let them never be turned againſt mankind, merely for ſpeaking their ſentiments openly upon public concerns.

What can be more reaſonable than this demand? Though I am told by his friends that when aught in derogation of his proceedings is uttered, he is very eaſily exaſperated; even though nothing contumelious ſhould be ſaid of his perſon. Should this appear, I ſhall make due allowance for a friend's infirmity. But thoſe very ſame friends have alſo ſaid, that Piſo the father-in-law of Ceſar, might uſe freedoms with that name, which did not become Ceſar's enemy. And they cloſed their information, with a very judicious caution: "Death," ſaid

[ak] [AK] NOTE XXXIV.

they, " may hereafter be no better plea for non-attendance " on this houſe, than ſickneſs."

By the Immortal Gods! your preſence Dolabella, much as I love you, excites me to lay open the miſconduct of you both. I moſt conſcientiouſly believe you to be men of truly noble ſouls, untainted by the love of lucre, though ſuch a ſordid paſſion has been attributed to you, by the incredulous and ſuſpecting. A paſſion however, which noble and magnanimous minds deſpiſe. I believe too, the charge againſt you, of ſurreptitiouſly acquiring, and of amaſſing the public treaſure, with a deſign of uſurping a lawleſs power, to be falſe. For I ſincerely think, that the welfare of your fellow-citizens, and a thirſt of glory, have ever been the rules of your conduct.

True glory however, Dolabella, conſiſts in juſt and great actions, performed by a man for the ſervice of his country; and theſe are always followed, not only by the applauſe of the multitude, but alſo by the concurring approbation of the wiſe and diſcerning. I might perhaps, deſcant upon the glorious advantages of a virtuous conduct, if I did not know that you are in ſome degree diſtinguiſhed by your own; and therefore, no ſtranger to thoſe advantages. Tell me however, what day of your life teemed with greater glory, than that, when returning to your houſe, after having juſt paſſed an expiatory act in the forum, you diſperſed a dangerous mob, and puniſhed the leaders? What order, what ſpecies, what rank of men, that did not then rend the air with applauſe and congratulations, to him who had ſaved their city from conflagration,

and

and preſerved the lives of the Citizens? Even I, who was only ſuppoſed to adviſe the meaſure, received the thanks and congratulations of all good men, though in your name.

RELATE I beſeech you, my friend Dolabella, your reception in the theatre; when at your appearance, the univerſal aſſent of the circle declared, that this act ſo beneficial to the public, had effaced every trace of their former reſentment. And could Dolabella, with infinite ſorrow I aſk, could Dolabella afterward, being in his perfect ſenſes, forfeit his title to ſuch dignified applauſe? You alſo Antony, I will ſuppoſe him here, do you not reflect upon that day, when you acquired ſuch honor in the temple of Tellus? Such honor as far tranſcended the triumph of a few months, in what your friends think, a happy ſituation? How every word then breathed peace? The anxious city ſaw ſecurity in your looks; while [a] the alarmed veterans felt comfort from every word you uttered. Soothed into gentleneſs, and diveſted of every remembrance that was inimical, the auſpices forgot, though declared by yourſelf; you on that, as the firſt day, accepted Dolabella for your colleague. The confidence you ſhewed beſide, in ſending your own child as a pledge; all conſpired to quiet the people's fears.

WHEN did the ſenate feel more real joy? When were the people more ſupremely bleſt? Had any meeting ever been more numerous? If aught could augment the general joy, it was becauſe liberty had been reſtored by the moſt

[a] [AL] NOTE XXXV.

noble

noble and worthy of the ſtate; and that reſtoration, followed by the moſt profound quiet.

THE ſucceeding days rolled on in peace, and ſweet tranquility; for every day brought ſomething new, ſomething deſirable. But what moſt pleaſed the people, was the abolition of the dictatorſhip. This execrated office, vacated by the death of Ceſar, was to your immortal honor, conſigned to everlaſting infamy. And, as on account of [am] the treaſon of Marcus Manlius, the race of that name forbad any deſcendent of the Manlii to bear the name of Marcus; ſo you, by a ſimilar act of juſtice, rendered the dictatorſhip infamous for ever. The crimes given ſanction to, under the adminiſtration of one bad man, very juſtly excited your abhorrence of the office itſelf.

AND could you tire of ſuch a career? Of acting thus nobly for the honor of the republic, and your own advancement? Did the weight of dignity, of glory, and renown, which you acquired by that conduct, preſs too powerfully? Or whence aroſe this alteration in your proceedings? I cannot give credit to the charge of avarice. Every man, indeed, has a right to give his opinion: but no other man is bound to credit him.

YOUR manners I own, never have appeared to me, to be influenced by any low or ſordid paſſion; though ſuch inſinuations have been whiſpered by your acquaintance. For my own part, I am well aſſured of your firmneſs and reſo-

[am] NOTE XXXVI.

lution;

lution; and wiſh therefore, you were as free from the ſuſpicion, as I believe you are really free from the guilt, imputed to your character.

I AM, however, afraid, that ignorant of the road to true fame, you feel a deſire of poſſeſſing more power yourſelf, than reſides in the whole ſtate beſide. And I ſuſpect, that you are better ſatisfied with exciting the fears, than inducing the love of your fellow-citizens. If theſe be your principles, you are an utter ſtranger to the way which leads to real glory. To deſerve well of your country; to be beloved, praiſed, honored, and eſteemed by your fellow-citizens: theſe are the heights of glory. But to be feared and hated, is a condition as weak and unſtable, as invidious and deteſtable. That horrid maxim, [an] "While they "fear, let them hate;" all men know, proved fatal to the author.

I WISH Antony, you would contemplate the actions of your grandfather. You have heard me mention him very often; and on the moſt intereſting occaſions. Do you believe that he would have thought immortality derived to his character, from the dread of arms, maintained like your own? His whole life ſhewed, that his utmoſt ambition was, to be but equal in freedom, though ſuperior in dignity, to the reſt of his fellow-citizens. I omit repeating the inſtances of proſperity which attended his life; and had much rather have taken his ſituation in death, than Cinna's, who murdered him.

[an] NOTE XXXVII.

WHAT

WHAT method then, ſhall I perſue Antony, to touch your heart? If the death of Ceſar could not, if you had rather be dreaded, than revered by your fellow-citizens: All I can ſay, all that I can urge, will prove uſeleſs admonition. Thoſe however, who think Ceſar's ſituation to have been happy, muſt be themſelves, wretched indeed. Could a man be happy, whoſe life was ſo noxious to his country; that not only impunity, but immortal honor, is decreed to his murderers?

REFLECT in time then, I beſeech you; call to mind, the deeds of your anceſtors; reſpect their conduct; and imitate them ſo far in your government of the republic, that we may rejoice in the exiſtence of an Antony. And be aſſured, that without this teſtimony of honor from his fellow-citizens, no ruler can be happy, nor truly great.

You, and Dolabella, have both experienced very forcible inſtances of the people's diſapprobation. What do you think occaſioned the clamors of the people at the gladiatorial ſhews? What meant, the multitudes aſſembled there? And what, do you apprehend drew forth [ao]the unlimited applauſe expreſſed before Pompey's ſtatue, and in honor of the tribunes your oppoſers? Do you flatter yourſelves, that theſe things imply, your having the favor and concurrence, of the whole Roman empire? The approbation, the teſtimony, or let me ſay the judgment of the people, ſo generally teſtified, [ap]in favor of the Pretor at the Apollonian games; did that ſeem nothing in dis-

[ao] [AO] NOTE XXXVIII. [ap] [AP] NOTE XXXIX.

favor

favor of your cauſe? O! thrice happier than yourſelf thoſe, who though abſent at that time through dread of your power, were nevertheleſs, preſent in the hearts and affections, or as I might ſay, mixed with the marrow, and clinging to the bowels, of their fellow-citizens!

But you perhaps, flatter yourſelf, that the plaudits given at the Apollonian games, were a wreath of laurel tendered to Accius, ſixty years after his death, rather than to Brutus. Who ſeems indeed to have been compelled to abſent himſelf, on purpoſe, to furniſh the Roman people with ſuch a public and great occaſion, of ſhewing their unſhaken attachment to him. Their inceſſant ſhouts, and ecchoes of applauſe, demonſtrate Conſcript Fathers; that as the abſence could not damp, ſo the misfortunes of their deliverer could not repreſs, the ardor of their affections for him. The applauſe of a mob, I have ever conſidered as nugatory and contemptible. But, when the great and the vulgar, when every rank of men unite in that applauſe; and when thoſe who had always followed the voice of power, ſhrink from the view; when all theſe circumſtances combine, I cannot expreſs ſo glorious a token, by the poor, cold term applauſe. This is the approbation of judgment, it is the tribute of honor, and a juſt ſacrifice to tranſcendent merit.[aq]

If theſe things, important as they really are, ſeem but of little conſequence to you; with what complexion did you behold the affections of the people for Hirtius, when

[aq] [AQ] NOTE XL.

his life was in danger? He then desired only the love of his fellow-citizens, which he still possesses; to have the esteem of his friends, which he had always a peculiar art of engaging, continued; and to be dear to his family, by whom he is idolized. Never however, were the solicitude and fears, of the good and the virtuous, so strongly marked and so universally expressed, as on that occasion. And do you infer nothing from these events? Can you be unanxious about your own safety, and, regardless of your own lives; when you see the whole community so much interested, in the fate of a single patriot?

Thus, Conscript Fathers, have I taken the very first opportunity of my return, to deliver my opinion; and in such a manner, to convince the world, that whatever may be the result of your deliberations, I have been constant to my duty and to my principles. You have afforded me a patient and favorable hearing, and I gratefully acknowledge the favor. I shall hereafter have occasion, often to make the same request; when accompanied with safety to this august assembly, and with security to myself. When that is denied, I shall on your account more than my own, be silent. I have been blessed by the fates, with many and good days. And if the Gods permit a further continuance of life to me; for you, and my country, rather than for any good that can arise to me, will the indulgence be granted."

[AR] NOTE XLI.

ARGUMENT

ARGUMENT

OF THE SECOND

ORATION, OR PHILIPPIC,

AGAINST

MARK ANTONY.

MARK ANTONY, highly inflamed by Cicero's firſt Philippic, retired to his villa, to frame a ſuitable anſwer. After ſeventeen days occupied in that buſineſs, Antony convened the ſenate; which met at Rome, on the nineteenth day of September, ſeven hundred and nine, U. C. He there delivered himſelf of a ſevere, though not very elaborate oration, againſt Cicero; but Cicero was not of his audience. The ſecond Philippic was framed ſoon after, in anſwer to Antony's oration; and in ſuch terms, as if both had been preſent at the delivery: though the fact is, the ſecond Philippic was never publicly delivered by Cicero.

THE arguments have no particular political object, but that of vilifying the character of Antony. Recrimination, and retortive abuſe, are accordingly, the governing principles of the ſpeech. The ſeveral incidents

of Antony's life, from his earlieſt appearance in ſociety, to the period of the preſent oration, are ranged in their proper ſucceſſion, with every detractive comment, and with all thoſe powers of ſpecious miſrepreſentation, for which Cicero was famous. But Cicero's ſpleen, in this inſtance, as in many other inſtances already mentioned, became too powerful for his politics. He brandiſhed the weapon of detraction, with too little diſcrimination. Antony had borne much, and would moſt probably have ſuffered this, unreſented. But Cicero here attacks Fulvia, the wife of Antony, and the circle of their friends, with the ſame acrimony, the ſame undiſtinguiſhing rage. The conſequence of this ill-judged, and unjuſtifiable attack, was attended with the moſt fatal conſequences to Cicero. He was in the ſucceeding year, the principal victim of Antony's reſentment. His name appeared in the front of that horrid liſt of proſcriptions, formed and agreed to, by the Triumvirate; and his life was ſurrendered to the order that iſſued thereupon.

SECOND

SECOND

ORATION, OR PHILIPPIC,

AGAINST

MARK ANTONY.

ADDRESSED TO THE SENATE.

[a]WHENCE, Conſcript Fathers, ariſes the peculiarity of my [b]fate, that in a courſe of [c]twenty years, no man ſhould ever erect the ſtandard of rebellion againſt his country, without declaring himſelf my inveterate and deadly enemy?

To recapitulate the various inſtances, or enumerate the perſons, would be ſuperfluous; as the facts muſt be recent in your memory. However, my enemies have all encountered the juſt return of their demerits, in a degree beyond what the ſcope of my reſentment, conceived or deſired. Yet, I obſerve with aſtoniſhment, that the horror of their fate has not deterred you, Antony, from treading in their

[a] NOTE I. [b] NOTE II. [c] NOTE III.

ſteps

ſteps. This however, is very remarkable; no one of theſe abandoned men has been my enemy from perſonal motives: all their malice has been engendered by my attachment to the republic. But you, who ſurpaſs in aſſurance, the villain Catiline; in vindictiveneſs and fury, the inceſtuous Clodius; have vented the force of your execrable calumnies, in a manner ſtill more baneful than their attempts.

You thought, I know, a ſecernment from my counſels, moſt likely to improve your connexion with the infamous part of mankind. What can I otherwiſe ſuggeſt, as the reaſon? Your contempt of me? I ſee nothing in my character, my ſituation, my principles, nor even in the mediocrity of my genius; that ſuch a man as Antony, ſhould contemn. Whence then aroſe your contempt? You fancied perhaps, my credit with the ſenate was weak and unſtable; eaſily undermined? Perhaps you forgot that I received from this high, this auguſt order of men, ſuch a teſtimony of honor, beſide many other approvals of my conduct, as never any Roman enjoyed before; and that I was publicly declared by them, THE SOLE PRESERVER OF THE STATE? Or did you mean to diſpute with me the palm of oratory? I deſire no better ground of contention. Where can I engage with ſo fair a proſpect of ſucceſs, as in declaiming againſt Antony, and in favor of myſelf. But none of theſe circumſtances made Antony my foe. He knew of no method ſo effectual to convince his aſſociates of his deteſtation of his country, as declaring himſelf my enemy.

[D] NOTE IV.

AMONG

AMONG a variety of accuſations, 'I have been charged with violating the ſacred laws of friendſhip. This, being one of the groſſeſt crimes that can be imputed to human nature; I prefer in point of order, to the reſt of his accuſations. I am accuſed of being engaged, I know not when, in a cauſe againſt Antony. And where is the crime in pleading for a relation and friend, againſt a ſtranger? I ought not I ſuppoſe, to have pleaded againſt ſuch might and power; nor to have riſked the expectation I might entertain from Antony's favor; but to have been the invariable advocate of that hopeful band, formed from the connexions of his youth. He expected, I ſuppoſe, that I ſhould have pleaded againſt injuſtice; as the injury came from a wretch, interpoſing at his requeſt, and not from the pretor. This charge is exhibited, I know, to ſerve your cauſe with the lower claſs of people; to whom indeed, you are nearly allied. You married the daughter of a ſlave; and your children have, of courſe, a ſanguinary tinge of the ſame kind, from their grandfather, Quintus Fadius.

LET me now aſk, why 'you pretended to an intimacy in my houſe; to have been my pupil? Had that been really the caſe, univerſal libertiniſm, and a blaſted fame, had not been annexed to your character. But, you well know, Antony, that had your deſire to attend at my houſe been ever ſo ardent; Curio could not have ſpared your attendance.

' [E] NOTE V. ' [F] NOTE VI.

YOU

You have aſſerted too, that [g]my election to the augurate was owing to your conceſſion in my favor. What incredible aſſurance! What a frontleſs aſſertion! Pompey, and Hortenſius, were the men, and more nominators the law did not allow, who at the requeſt of the whole college, nominated me to the office of augur. You then, an inſolvent man, had not even the power of nominating, ſtill leſs of being eligible, to the augurſhip. All the miſchief you were then capable of acting, was ideal; confined to the projection of ſchemes for the future ruin of your country. Your friend Curio, was not then at home; how therefore ſhould you think of contending for the augurate? And afterward, when you did obtain that office; could you carry one tribe without Curio's aſſiſtance? And were not undue means uſed, even by Curio's friends? Were they not convicted of ſeditious practices, upon that immediate occaſion?

But your favors have been repeatedly heaped upon me. Shew me the inſtances? If there be a ſingle circumſtance wherein you have obliged me, I cannot have loſt the remembrance. I had rather confeſs much more than I owe, than ſeem to be ungrateful for what I have actually received. But, let me know the ſpecific obligation. [h]You did not put me to death at Brunduſium: Is that the mighty favor? You know, that Ceſar commanded you, the leader of his banditti, to protect me. You do not I hope imagine, he ordered me into Italy, that you might glut your cruelty, with the horrors of my aſſaſſination?

[g] NOTE VII. [h] NOTE VIII.

But,

But, I was in your power. There is the true language of banditti. They preſume, Conſcript Fathers, that every man who does not purchaſe his ſafety from them; holds his life through their bounty. If this were true, thoſe who killed their preſerver, men who you have dignified with the moſt exalted titles; never had acquired ſuch glory.

And, ſhall abſtaining from evil, be conſtrued an act of merit? Still, I had much rather have periſhed; than that you ſhould have poſſeſſed the power of determining my fate. Admitting however, that ſparing me was a favor, which, conſidering you as a banditti chief, certainly was the caſe; yet tell me wherein I have been ungrateful? Was my ingratitude to you, exemplified in the effort I made toward ſaving my ſinking country?

In the whole courſe of this wretched and unfortunate buſineſs, though the part I acted, was from my rank and ſituation neceſſary; what have I uttered contumelioufly? Wherein tranſgreſſed the bounds of moderation, or, might I not ſay, of friendſhip? And how few poſſeſs temperance ſufficient to refrain from abuſe, when Antony is the ſubject? When enquiry is made after the public treaſure he diſſipated; or, into the venal proceedings of thoſe infernal bargains made in his own houſe; when acts, not even promulged, are thruſt upon the republic as laws; when as augur he is beheld contemning the auſpices, as Conſul, the Tribunitian power; or, when he is ſeen attended by his band of murderous ruffians: But above all, when we behold every ſpecies of infamy, prac-

tiſed in a houſe untainted before; together with the vaſt libations of wine, poured forth at the luſtral meetings; who I ſay, can forbear, to curſe the author of theſe complicated evils? But I, as if [1]Craſſus had been my opponent, with whom indeed, I have had many diſputes of a grievous and public nature, though he not being an infamous gladiator, I always confined myſelf to the ground of contention; ſo with you, I ſaid nothing of the man, and treated you with moderation and decency. But to day, you ſhall ſee the difference; and you will then know how to eſtimate my former favors.

In you Antony, I behold a man ignorant of the common forms of life; a man, who never felt the genial ſenſations of friendſhip; as publiſhing my pretended letters, amply teſtifies. For who, the leaſt acquainted with the duties, or with the nature of ſocial intercourſe, ever recited, or publicly expoſed, the letters of a friend; even though intervening cauſes might have ariſen, to extinguiſh the friendſhip? To aboliſh the correſpondence of friendſhip, is, "TO TEAR UP SOCIETY BY THE ROOTS." What a number of trifles, to ſtrangers totally unintelligible, are thus expoſed? How many incidents of importance, which demand inviolable ſecrecy, divulged? So much for your humanity; now, for your amazing ſtupidity. What have you to alledge againſt me, Prince of Orators? For ſuch you are, in the opinion of Muſtella Tamiſius, and Tiro Numiſius. I ſee them. The ſenate alſo, may view them, and armed among the crowd. Shew us, Antony, any

[1] NOTE IX.

character

character they can aſſume in this place, except that of aſſaſſins; and you ſhall henceforth be, in my eſtimation, really an eloquent man. But, if after all your attempts to expoſe me by ſhewing theſe letters; I ſhould deny that I ever wrote one to you: How will you prove their authenticity? By the characters? [k] In adducing ſuch kind of proof, you are I am convinced, no novice. But tell us how you will proceed, good Antony, when I inform you; that the letters in queſtion, are really the hand-writing of my ſecretary?

O! how I could puniſh the maſters of thy youth, who paid as they were, ſhould have taught thee ſo little wiſdom; ſo little judgment in thy affairs! What can render, I will not ſay an orator, but a common perſon ſo contemptible, to come before the public, bearing ſuch proof, as will operate only, in the admiſſion of it, by his adverſary? However, I do admit the letters to be mine. But, in this conceſſion, I prove you a man as void of humanity, as of ſenſe. Shew me a line in thoſe letters that is not charged with kindneſs, with benevolence, and affection. You ſeem to entertain a deſire of criminating the contents, merely becauſe they do not ſpeak to the infamy of your morals. But you ſhould have conſidered, that I wrote then, to the ſuppoſed valuable citizen, to the man of worth; and not to the real character, the ſcoundrel and the public purloiner.

If I was diſpoſed to retort in the ſame unjuſtifiable

[k] NOTE X.

manner; what a figure could I preſent you to the eye of public ſcorn? Suppoſe I ſhould publiſh thoſe letters, wherein you aſk my conſent to reſtore a [1] particular perſon, ſwearing by the Gods, you otherwiſe will not reſtore him? My conſent however, you obtained; for how ſhould I attempt to check that preſuming ſpirit, which the authority of the ſenate, the univerſal deſire of the people, and the laws themſelves, had in vain attempted to controul. But where was the neceſſity of my conſent, if Sextus was reſtored by a law of Ceſar? In this, you would pretend to have conferred a favor upon me; whereas, the law being paſſed, all merit is taken away; not from me only, but from yourſelf likewiſe.

Now, Conſcript Fathers, I come to a period, wherein many circumſtances, relative to Mark Antony and myſelf, are to be contraſted, and diſcuſſed. In my own caſe, I ſhall want all your partiality and indulgence; in what refers immediately to Antony, I have no doubt of engaging your attention. One thing more, I beg. If throughout life I have conducted myſelf with moderation, and propriety, and particularly, in ſpeaking before this aſſembly: yet, if now unuſually provoked, I ſhould for a moment, loſe ſight of that moderation; let this be no impeachment of my general character. I may perhaps, forget the Conſul, in my antagoniſt; for my Conſular dignity, has never operated upon him. Though his abandoned life, his tyrannical adminiſtration, and the manner, in which he procured his election; ought, in

[1] [L] NOTE XI.

fact,

fact, to annul his pretenſions. Whereas my pretenſions in that particular, are indiſputable.

In order to throw a favourable light on his own, Antony endeavors to blacken the proceedings of my Conſulate. My Conſulate! I ſhould rather have ſaid of yours, Conſcript Fathers; for what have I ever deſigned, what ſuggeſted, what executed as Conſul, but by the opinion, the authority, and the determination, of your order? And will you, moſt ſapient Senator, though not the moſt eloquent of that aſſembly, by whoſe direction theſe reſolves were carried; will you pretend to condemn, proceedings ſo authorized? But who, except yourſelf and Publius Clodius, ever arraigned my conduct? [m]And his fate, copied in Curio's caſe, is now hovering over your own head.

But my Conſulate, Antony alas! does not approve. Publius Servilius, I name him firſt, though the laſt deceaſed; he, Antony, approved the Conſulate of Cicero Lutatius Catulus, whoſe conduct was ſuch as will perpetuate his influence in the ſenate, entertained the ſame opinion. The two [n]Luculli, Marcus Craſſus, Quintus Hortenſius, [o]Caius Curio, Marcus Lepidus, Calphurnius Piſo, Marcus Glabrio, Lucius Volcatius, Caius Figulus; together with Decius Silanus, and Lucius Murena, Conſuls elect; theſe, every one, commended that Conſulſhip. Not only the Conſulars, but Marcus Cato likewiſe, gave his ſanction; yes, the virtuous Cato, who to ſhun inevitable calamities, avoided life itſelf, yet nothing he ever imagined,

[m] [M] NOTE XII. [n] [N] NOTE XIII. [o] [O] NOTE XIV.

was

was equal to the calamities ariſing from your Conſulate. I might add to theſe honorable teſtimonies, that of the brave Pompey, who not only approved my Conſulate; but on my return from Syria, embracing and congratulating me, his firſt words were: "Through your intereſt, I am re-"ſtored to my country."

But why do I quote the authority of individuals? In a full ſenate, and without the diſſent of a ſingle member, I was proclaimed the father of my country; and the preſervation of the republic, the fortunes, lives, and poſterity of every Roman, aſcribed to my conduct. But as thoſe great names I have already mentioned, exiſt now only in the honorableneſs of their remembrance, I will refer you to living authority. Lucius Cotta, a man of exalted genius and the moſt upright conduct; decreed a triumph, and in the moſt gracious terms, in honor of theſe very actions which you attempt to reprobate. To which decree the whole ſenate, including many perſons already named, univerſally aſſented. Indeed I may juſtly aver, that no man in a civil capacity was ever decked with honors, equal to thoſe conferred upon myſelf.

But, to wave my own concerns. With what perſeverance and dignity, did Lucius Ceſar, your uncle, pronounce ſentence upon his ſiſter's huſband, your father-in-law? You Antony, ought to have placed the conduct of [p]Lucius Ceſar before you, as a rule of life; rather than to have attended to the counſel of ſuch a father. I, though

[p] NOTE XV.

a Conſul,

a Conſul, and bearing no relation to Lucius Ceſar, often ſought his advice. But did you, his nephew, ever once ſolicit ſuch ſalutary counſel? To whom does Antony refer? Immortal Gods! to men unknown, but for their talent of revelling. Should you aſk at this moment, where is Antony? why abſent? the anſwer would be: "Carouſ-"ing in his gardens; [q]feſtivity reigns there, on account of "a birth-day." Whoſe, I pray? "I beg to be excuſed. "You may, if you pleaſe, think of ſome buffoon, ſome "glutton, or pimp."

O! WRETCHED degrader of human nature! Infamous, lewd, inſufferable fellow! Is there not a perſon of high rank, your near relation, always ready to adviſe you? [r]But when did you apply to him on the affairs of the ſtate? To needy wretches, to paraſites, who feed upon your reputation and fortune; you apply for weighty counſel. Yet, your's is the ſalutary, mine the pernicious Conſulate.

Is every ſenſe of ſhame extinct in your mind; or what could induce you to make ſuch a declaration in this place? To dare aſſert a reflection upon my Conſulate in that auſpicious temple, and before that ſenate, which in my Conſulate flouriſhed, as the ſupreme head of univerſal legiſlation? Gods! in preſence of that very ſenate, which in your Conſulate is guarded by armed hirelings of your own appointment? You had the confidence alſo, but what bounds are there to your daring? to aſſert, that in my Conſulate, the Capitolinian hill was lined with mercenary

[q] NOTE XVI.

[r] NOTE XVII.

ſlaves,

ſlaves, bearing arms. And you really think Antony, thoſe terrible decrees paſſed by the ſenate in my Conſulate, were extracted by force?

O WRETCH! whether did thy ignorance of that tranſaction, for thou never knewſt any good, or thy falſhood in perverting the event urge thee, to make ſuch an aſſertion, and before ſuch an aſſembly? Who among the knights, who among the nobility, who of any rank except yourſelf, that conſidered the duty of a [s]citizen, could have been abſent from the hill, when the ſenate were convened in the capitol, on ſuch an important occaſion? Who could there be that was not ready to inrol himſelf? Neither tables, nor ſecretaries of regiſtry, could be found in numbers ſufficient for the buſineſs. When a band of villains, confederated for the deſtruction of their country, were diſcovered by evidence under their own hands, and [t]convicted from their own confeſſion; of a deſign to burn the city, murder the citizens, ravage all Italy, and extirpate the very name of the republic: who could remain unmoved, or refuſe to engage in one common defence? Such indeed was the event, and ſuch the chieftain of the ſenate and the people; that had his commiſſion exiſted now, the fate of thoſe conſpirators had been revived in thine.

ANOTHER charge alledges, [u]that I denied ſepulchral rights to the body of your father-in-law. Publius Clodius, I am confident, did not give you that information. He, though I was his enemy in judicial pleadings, was not ſuch

[s] NOTE XVIII. [t] NOTE XIX. [u] NOTE XX.

an

an abandoned wretch as yourſelf. But what infatuation could poſſeſs you, to revive the idea of your education under Publius Lentulus? Why repeat to all the world, his remiſſneſs in diſcipline: for your nature, bad as that appears to be, could never have reached thoſe lengths of infamy you have compaſſed, had juſtice been rendered you, in the particular of correction? Now, your ſtupidity is ſo conſummate, that you never ſpeak, but your arguments tend to the prejudice of your own cauſe. They are not only incoherent, but ſo totally disjoined, ſo ill placed, and claſh ſo conſtantly with each other; that you ſeem rather diſputing with yourſelf, than with an adverſary.

You have not denied that your father, Publius Lentulus, was a party in that unnatural conſpiracy; yet you complain of his puniſhment. However, as I acted on that occaſion, purely from the ſenate's orders, your reprehenſion was a reflection upon that noble order, but a panegyric upon my conduct. All your charges of guilt therefore, brought againſt me, are but ſo many attacks upon this aſſembly. Alas Antony! applauding your adverſary, and traducing your audience, are no demonſtrations of poſſeſſing the qualities of a great orator.

But among all the acts, I will not ſay of audacity, for that is a term you delight to hear; but among all the acts of your folly, in which noble quality you excel all mankind; what could induce you to mention the affair of the Capitolinian hill, at a time when the benches of the houſe were crammed with your own bravoes? Immortal Gods! at a time, when armed men, under your direction, ſur-

rounded us every where, and in the very place, where under my Conſulſhip thoſe ſalutary edicts were iſſued, to which you owe your exiſtence at this day? Proceed however, in accuſing the Senate; accuſe alſo the order of knights, who voted with them on that occaſion; accuſe every order; all your fellow-citizens: ſtill I ſay, the houſe is ſurrounded with your [y]Ityrean friends, and you cannot deny the aſſertion.

WHAT you have alledged againſt me, ſeems the reſult of your ſtupidity rather than your impudence; but ſtupidity and you, I perceive are inſeparable. What can demonſtrate a greater inſtance, than your bringing a charge againſt another for uſing the lawful authority of the republic for its ſecurity; at the inſtant you are uſing a ſurreptitious power for the deſtruction of that republic?

UPON a certain occaſion you made an attempt to be facetious. Gods! how aukwardly! You were very blameable in not conſulting your Dramatic Queen; ſhe might have aſſiſted you. I confeſs myſelf, and without heſitation, to be the author of that ſentence:

"[z]TO THE LONG ROBE, LET ARMS GIVE WAY."

AND where is the abſurdity, or falſhood? Did they not yield? Yes; but you have ſince reverſed the propoſition. The queſtion however, between us, I apprehend now, moſt excellent Antony, is this:—Whether the arms of

[y] [W] NOTE XXI.

[z] [X] NOTE XXII.

conſpiring

conſpiring villains ſhould yield to the liberty of the Roman people; or their liberty ſink beneath the weight of ſuch arms? But I ſhall henceforward, reprove you in common terms; for all men know, you are as ignorant of the art of poetry, as of literature itſelf. In reſpect to my character: My patriotiſm in public, my friendſhip in private life, and the fruits of my vacant hours, which have ſo greatly benefited the riſing generation; are ſuch monuments of my fame, as will tranſmit even the Roman name, with additional luſtre to poſterity. But, this is not the time to dwell upon the incidents. We have at preſent, a much greater field to explore.

You charge me with being an accomplice in the death of Clodius. What would have been the public opinion, if you had diſpatched him in your perſuit through the forum with a drawn ſword? And his fate would then have been ſecurely determined, had he not ſheltered under a bookſeller's ſtairs; thus ſcreening himſelf from your impetuoſity. Though I favored you in this tranſaction, you cannot ſay it was undertaken by my advice.

In the attack by Milo upon Clodius, the fact itſelf precludes the poſſibility of ſuch a charge being juſtly adduced againſt me. Clodius was killed before any one had the leaſt ſuſpicion of his death. Then you ſay, I adviſed him to the act. As if the great ſoul of Milo, was incapable of effecting any circumſtance for the good of the republic, without extrinſic aid. But I rejoiced in this action. And why not? Muſt I alone be debarred partaking of the general joy for ſo great an event?

THE mode however, of enquiring into Clodius' death, was not the moſt juſtifiable. Where was the neceſſity of a new juriſdictive power, to try a cauſe, cognizable by the eſtabliſhed courts of the republic? A new power notwithſtanding, was conſtituted. And though no advocate appeared againſt me, at the time of pleading that cauſe; behold one is found, who attempts after a lapſe of many years, to arraign me as an accomplice in the act.

I PROCEED now to a charge moſt loquaciouſly urged. [y]Through my means you ſay, the friendſhip between Pompey and Ceſar, was interrupted; and that the civil wars which followed, were the conſequence of that interruption. In this, though you are not totally miſtaken as to all the facts; you are egregiouſly ſo with reſpect to every point of time. [z]My endeavors to detach Pompey from his connections with Ceſar, were exerciſed during the Conſulate of Marcus Bibulus. But Ceſar was the more fortunate man; for he himſelf detached Pompey from my friendſhip. And after Pompey had reſigned all his faculties to the guidance of Ceſar; what ſucceſs could I hope, in endeavoring to diſunite them? To expect ſucceſs, would have been abſurd; to attempt it, audacious. Nevertheleſs, at two periods, when ſomething like favorable opportunities occurred, I did venture to adviſe Pompey, againſt the intereſt of Ceſar. You ſhall know the occaſion of each interference; reprehend either if you can.

[y] [Y] NOTE XXIII. [z] [Z] NOTE XXIV.

THE

THE firſt, was to perſuade him againſt "conſenting to the continuance of Ceſar's commiſſion; the other, to prevail upon him not to regard the abſence of Ceſar, in political arrangements. In either of which had I ſucceeded, the calamities we now ſuffer, never could have fallen upon us.

NEVERTHELESS, as ſoon as I diſcovered that Pompey, after having exhauſted all his own fortune, and the treaſure of the republic, in ſending ſupplies to Ceſar; began though late, to ſee what I had long foreſeen: and when I perceived, that a cruel inteſtine war, was with haſty ſtrides approaching; I exerciſed my unwearied endeavors, to eſtabliſh peace and concord, by a compromiſe of differences. My exclamations to Pompey were well known at that time to many: "O! that your union with Ceſar, had never exiſted; or "that it had been perpetual! Your dignity, in the firſt "inſtance, had remained undiminiſhed; your wiſdom, in "the other, unſuſpected."

Now Antony, you are acquainted with the true principles on which I adviſed Pompey; both in regard to the public, and himſelf. Had he liſtened to my counſel, the republic had been preſerved; and you, cruſhed by the weight of your own crimes, your infamy, and your poverty, had periſhed. But theſe are things of an ancient date; let us now meet upon modern ground.

CESAR, you ſay, fell by my counſel. Here I confeſs, Conſcript Fathers, I begin to grow apprehenſive you ſhould

[aa] [AA] NOTE XXV.

ſuſpect

ſuſpect me of having ſuborned this prevaricator, to trumpet forth my praiſes, and load me with the commendations due to my friends. But to the point. Who among this illuſtrious aſſembly ever heard my name joined in the commiſſion of that glorious act, Ceſar's fall? And who, of all the honorable perſons concerned, could have concealed his name? Concealed, did I ſay? Who, but muſt be certain, his name would be inſtantly proclaimed to the whole world? The deſire of being conſidered one of the number of thoſe patriotic Romans, prevailed in ſuch a degree, that many boaſted of being concerned in the act, who were not even privy to the tranſaction; ſo far were the real actors from deſiring to conceal their true ſituation. Beſide, can you ſuppoſe, that among ſuch a crowd of young and obſcure perſons, who ſpoke without reſtraint, my name alone ſhould remain undiſcovered?[ab]

[ac] But if thoſe brave men, who ſo effectually ſerved the cauſe of freedom, had required an agent to ſtimulate their endeavors; would not the [ad] ſtatues of Brutus and Ahala, conſtantly before the eyes of the Bruti, have been ſufficient to operate in ſuch a cauſe? Who could have ſo effectually counſelled them, as ſuch memorials of the acts of thoſe great men, whoſe blood they inherit? Could they I ſay, have been ſo well adviſed elſewhere? [ae] Caius Caſſius alſo, one deſcended from a family jealous of dominion or undue power, even in a perſon of the houſe of Caſſius, muſt he alſo want my advice? That Caſſius, who would have ef-

[ab] [AB] NOTE XXVI.
[ac] [AC] NOTE XXVII.
[ad] [AD] NOTE XXVIII.
[ae] [AE] NOTE XXIX.

fected

fected this buſineſs in Cilicia, at the mouth of the Cydnus, without the great aid he afterward received, had not Ceſar drawn his fleet to the other ſide of the river? My authority alſo, I ſuppoſe, not revenge for the death of his father, or of that great man his uncle; no deſire of pulling down uſurpation, and reſtoring liberty; that urged [af]Caius Domitius to join the noble band of patriots? I likewiſe, perſuaded Caius Trebonius, whom I never dared, on any occaſion, to perſuade? To this patriot, the republic is indeed moſt highly indebted, for he ſacrificed his deareſt friend at the ſhrine of Roman liberty; and preferred being the deſtroyer, rather than the partaker of lawleſs dominion. Tullius Cimber alſo, acted no doubt, from my inſtigations? One, whom I the more admire for the deed, becauſe, I thought him incapable of ſuch an action. I admired him alſo, becauſe though he could forget his friend and benefactor, he could not forget his country, when the opportunity occurred. The two Servilii, I might ſay Caſcas and Ahalas; perhaps you attribute the part they acted, to my ſolicitations, rather than to their love for the republic? To recount all the noble perſons engaged in that buſineſs, would be an endleſs labor. However, the greatneſs of their number increaſes the honor of the act; as much as the act itſelf, exalts their glory.

Now, Conſcript Fathers, I will expoſe the ſubtle arguments of this penetrating genius. Immediately upon the death of Ceſar, ſays he, when Brutus held up

[af] [AF] NOTE XXX.

the

the ſtreaming dagger, he called upon Cicero by name, congratulating him on the recovery of loſt liberty. And why, do you think, he diſtinguiſhed me upon that occaſion? Muſt I, of neceſſity, be privy to the intention? Cannot your wiſdom, good Antony diſcover, that his deſign in applying to me, might be, from the ſimilarity of his ſituation and mine upon a former occaſion? As if he ſhould ſay; who ſo good a witneſs of my virtue, as the man I copied in the moſt glorious part of my conduct? But you, ſo tranſcendently a fool, have never yet conſidered, whether when you have proved all you wiſh: "My conſpiring the death of Ceſar, to be a "crime:" I ſay, you have never conſidered, whether the univerſal joy excited by the deed, be a crime likewiſe? For, where lies the difference, between the promoter and the approver of an act? Or, what are the degrees of guilt, between wiſhing the performance of a deed; and performed, applauding it? And, be likewiſe ſo good to mention one, yourſelf and thoſe whoſe advancement depended upon his uſurpation excepted; who did not ardently deſire, and ſincerely rejoice in the death of Julius Ceſar.

By this means however, according to you, we became a nation of culprits. The prime good centered, no doubt, in thoſe who were the immediate perpetrators of that act: and though the counſelling, the ſpirit, the opportunity to act, might be wanting to others; the inclination, was no where deficient. But liſten, thou ſtupor of man, thou mere ſheep in wit, but for a moment liſten, to thy own words: "Marcus Brutus, whom

"I now

" I now mention, on a certain honorable occaſion, hold-
" ing up a bloody dagger, called upon the name of
" Cicero. From thence I conclude, Cicero was an ac-
" complice in guilt." Thus I am to be honored with the appellation of villain, becauſe you ſuſpect me to be the copartner in a certain act; which very act, in the avowed perpetrator, you cannot but denominate an honorable tranſaction.

Your ſtupidity here, may perhaps be only in terms. But, how much greater is the ignorance you betray in your actions? Aſſume the Conſul; and tell us, whether the Bruti, whether Caſſius, Domitius, Trebonius, and the reſt of that conjunction, have done well, or ill? Rouze, my friend, ſhake off the fumes of indigeſtion; and to buſineſs. Or, muſt you be urged by ſome powerful means, to quit this drowſy ſtate? However ſay, are you arrived to a concluſion in your mind, whether theſe noble patricians are to be called homicides, or the deliverers of their country? If you are capable of thinking rationally for a moment, favor me with ſo much of your attention, at this critical period. Now I, who am the friend of theſe men, and as you ſay, their accomplice, for, I deny that there is any medium; agree too, that if they are not the deliverers of the Roman people, the preſervers of their country, that their guilt is of a deeper dye than homicide, aſſaſſination, or even paricide; and by that proportion, in which the crime is greater, for a man to kill the parent of the ſtate, than his own natural father.

Now, learned and cogitative Sir, what is your reply?

Since they are all paricides, why do you ſpeak with ſuch reverence of their names; and why is your example univerſally followed by the people? I would aſk you too, [a]why the law forbidding the pretor to be abſent ten ſucceeding days from the city, was diſpenſed with, in Brutus' caſe? Why the Apollonian games, were celebrated with ſuch incredible honor to Brutus? Why, both he, and Caſſius, were fixed in the provinces? For what reaſons, Queſtors were added? And wherefore, ſuch an increaſed number of lieutenants? And yet, all theſe were your acts and appointments. I will conclude therefore, that in your judgment, they were not homicides, but the reſtorers of freedom: for, no intermediate character, as I ſaid before, can poſſibly be aſcribed either to Brutus or Caſſius, or to their aſſociates.

WHAT is the matter? What diſturbs you? Perhaps you do not underſtand me, yet nothing can be more diſtinctly urged. I will then conclude for myſelf; that as you have freed theſe men from reproach, you have alſo judged them worthy of the ampleſt rewards.

HOWEVER, I will now change my plan. Suppoſe me to have written to theſe great men; that if any charge or enquiry ſhould be brought againſt me, as a party concerned, to requeſt their avowal. Indeed I fear, they might be thought diſhoneſt, to have concealed that tranſaction from me; I blameable, to have declined it, being invited. By holy Jupiter! I challenge all mankind to

[a] [AG] NOTE XXXI.

produce

produce an inſtance, not only in this city, but in the extent of the whole world, of an act of greater moment? Of greater glory? One that will equally ſtand the teſt, of univerſal and everlaſting approbation? With ſuch men, and in ſuch a cauſe, ſhould you wiſh to ſhut me up like the Grecian princes in the Trojan horſe; I readily conſent.

WHATEVER you may intend, I thank you for proceeding in the method you have now adopted. What can be cauſe of greater triumph to thoſe men, whom you acknowledge to have baniſhed and expelled; than the act you mention? Where is the place ſo deſolate and inhuman, that will not rejoice in receiving them, and ſolicit their continuance? What race of men ſo uninformed, as not to know, that in receiving them, they receive the moſt exalted advantages of life? Above all, what age ſhall be found ſo unmindful of futurity, what hiſtory ſo ungrateful, not to labor in tranſmitting ſuch a glorious act, to the knowledge of lateſt poſterity?

AND yet, you will include me in this illuſtrious aſſociation. But, I fear you will fail in your proof. Had I been a party, not only the uſurper, but uſurpation itſelf had fallen. If the dagger exhibited by Brutus, had been mine, as you ſay, I ſhould not have preſented one act only: I ſhould have finiſhed the tragedy. If you ſtill perſiſt, in adjudging the ſcene acted in Pompey's theatre, to be a crime; I ſhall bring to view ſome circumſtances, relating to Trebonius and yourſelf at Narbonne, that will explain your ſentiments of this buſineſs. And, I

may be induced at the ſame time to ſay, [ah]why Trebonius called you apart, when Ceſar's fate was acting. But I, judge whether my ſentiments are inimical to you, as you have once thought juſtly, applaud you; that you concealed the circumſtance, thank you; and readily pardon your not executing the buſineſs. This was the buſineſs of a man; and conſequently not for you to tranſact.[ai]

If any one ſhould proſecute you before a judge of Caſſius' deſcription, and lay a ſtreſs upon the Caſſianian phraſe; "[ak]To WHAT PURPOSE?" I wonder how you would eſcape. Indeed you did ſay, Ceſar's murder was a benefit to all who reliſhed liberty. Conſequently, the greateſt benefit to you; who was thereby not only freed from ſlavery, but raiſed to a throne. What gave you the power of diſincumbering the Temple of Ops of a conſiderable treaſure for your own private uſes? How got you thoſe innumerable ſums, afterward diſſipated for the advantage of your public deſigns? What procured you [al]thoſe vaſt treaſures ſent from Ceſar's houſe? By what means was your houſe made the mart for forged commentaries, laws, farms, charters, pardons, and public payments; the office, where every ſpecies of villany is openly and ſucceſsfully practiſed: what, but the death of Ceſar? And how could you otherwiſe, have freed yourſelf from poverty and a priſon? Why are you ſo agitated? Do not be alarmed, do not apprehend I am going to accuſe you of being concerned in that event, make yourſelf eaſy on that

[ah] [AH] NOTE XXXII.
[ai] [AI] NOTE XXXIII.
[ak] [AK] NOTE XXXIV.
[al] [AL] NOTE XXXV.

head;

head; no man ſuſpects you on that account. To deſerve well of the republic is not your vice. Whereas, that glorious action derived its exiſtence, from a band of patriotic heroes.

I MEANT indeed to ſay, that you rejoice, and with reaſon, in Ceſar's death; but had no intention to inſinuate, your being concerned in the contrivance. Your principal charges I think, are now anſwered; I will therefore reply to thoſe of an inferior ſpecies.

[am]MY conduct, during the term of my reſidence in Pompey's camp, appears diſpleaſing to Antony. If Antony, my opinion, as you have aſſerted, had then carried any aſcendent over the mind of Pompey, you had now been a beggar, we a free people; and the republic rich in thoſe great men who periſhed in the ſubſequent wars.

I CONFESS, that when I reflected on the evident conſequences of that war; I felt, as every honeſt citizen muſt feel in the ſame predicament. I grieved, I pined with ſorrow, Conſcript Fathers, to ſee an illuſtrious republic, preſerved by your counſels and my conduct, ruſhing to deſtruction.

NEVERTHELESS, do not imagine, Conſcript Fathers, that I have ſo ſmall a portion of philoſophy, am ſo entirely undiſcerning, to have been diſtreſſed from apprehenſions about my own life. The continuance of life, could only be a

[am] NOTE XXXVI.

continuance

continuance of anguiſh and ſorrow to me; while my diſſolution muſt have been a ſure releaſe from wretchedneſs. Though I was indeed deſirous, that thoſe illuſtrious men, the ſoul of the republic; that ſo many noble Conſulars and Pretorians; ſo many honeſt Senators; that the flower of our nobility, and our youth; that an army compoſed of the braveſt troops: I was indeed anxious, that ſuch men ſhould live. And had they ſurvived, even under the terms of a diſadvantageous peace, for [an]I hold any peace between citizens of the ſame ſtate preferable to a civil war; our conſtitution would have been preſerved. Had my deſire of accommodation prevailed; had that not been oppoſed by men ſanguine and elate with victory; or had thoſe men, whoſe lives were ſo dear to me ſurvived; in any of theſe caſes, or others which I ſhall now omit: You Antony, never would have domineered in this houſe, never ruled this empire.

In regard to my converſation with Pompey, being agreeable, or diſguſting, to him. With whom did he ſo often converſe? To whom ſo frequently communicate affairs of buſineſs? Yet though we remained in a courſe of the moſt perfect friendſhip; our opinions upon public affairs were often widely different. I knew his ſentiments, and he ſaw clearly where my opinion thwarted them. I conſidered the ſafety of the people in preference to their dignity; whereas dignity was his leading object. Though each having a poſitive rule of action, our diſputes never roſe to any conſiderable height. But the opinion of that ſingularly great, that godlike man,

[an] [AN] NOTE XXXVII.

in

in reſpect to my ſentiments; will be better gathered from thoſe who were with him, when he fled from Pharſalia to Paphos. My name was never mentioned by him, but with circumſtances of honor; nor our friendſhip, but with terms of affection. He confeſſed, that the gift of foreknowledge was ſtrongeſt in me; and that he had been too rich in hopes. After this, dareſt thou utter the name of Pompey, as a brand of reproach to me? Knowing too, that I am the idolizer of his memory! and thou the purchaſer of his eſtate? I ſhall however draw a veil over the remainder of that war, which proved but too ſucceſsful to your deſigns.

YOUR charge of jocularity, during my ſtay in Pompey's camp, ſcarcely deſerves an anſwer. Affairs then, were in a ſtate too ſerious for jeſts to abound. Nevertheleſs men, if they have the ſouls of men, will in the moſt diſagreeable ſituations, ſometimes relax. In another place, you reprove my gravity and exceſs of feeling. Theſe contradictory charges plainly prove, that I was not juſtly reprehenſible for exceſs in either.

AGAIN, you are pleaſed to ſay, that no inheritances have devolved upon me. I wiſh I could plead guilty to the charge. Many tenderly-beloved friends, and relations, had now been here to conſole me. But how could ſuch a circumſtance enter your imagination? I have received, at various times, upwards of twenty millions of ſeſterces from bequeſts. You, I am ready to allow, have made a more

[ao] [AO] NOTE XXXVIII.

ſucceſsful

ſucceſsful traffic in this way. I never received bequeſts but from my friends; and as a ſolacing tribute of friendſhip and ſympathizing regard; you have received them from men whoſe faces you never beheld. Lucius Rubrius Caſſinas' eſtate came to you in thoſe circumſtances; under what pretence therefore, could you receive the inheritance? What a reproach to you, to forget he had a nephew, whoſe title was ſo much more competent. That worthy knight, Quintus Fuſius, his intimate friend, and his once publicly-declared heir, was not even named in the will. Yet you, though a ſtranger to Caſſinas' perſon, or at leaſt without a ſhadow of acquaintance, became his heir. Tell me then, Antony, if I probe not too deep into grievances; of what complexion, what ſtature, what country, what tribe, was Lucius Turſelius? Your anſwer muſt be this: All I know is, that he poſſeſſed a very good eſtate. And that you alſo know, to be the true reaſon why you, and not his brother, got poſſeſſion of that eſtate. He too, in many inſtances, had invaded the property, and become the ſelf-derived heir of fortunes; to the excluſion of the neareſt relations, and the true heirs. But I am moſt ſurpriſed, that you ſhould reproach me with the circumſtance of bequeſt, or inheritance; you, who were [ap]not even the heir of your own father.

RIDICULOUS FELLOW! And did you retire [aq]to a certain villa ſo many days; merely for the purpoſe of declaiming on this noble ſubject? I have heard, and ſome of your beſt friends will tell you the ſame; that you declaimed,

[ap] [AP] NOTE XXXIX. [aq] [AQ] NOTE XL.

not

not ſo much to diſplay your wit, as to diſperſe the fumes of ebriety. A great rhetorician, at leaſt one eſteemed ſuch, by you and your Bacchanalian ſet; in order to make the ſcene as ridiculous as poſſible, was appointed to harangue you without reſtraint.

Most facetious Antony! But you forget how eaſy to inveigh againſt ſuch excellent ſubjects for declamation, as yourſelf, and your friends. "The difference alas! between you and your grandfather! He never ſpoke but with great reflection, and pertinently to the queſtion in point; but you raſhly venture whatever opinion ſuggeſts itſelf.

But, from what funds did you pay your rhetoric maſter? Hear, Conſcript Fathers, and behold how the republic has been rewarded for the diſburſements on this account. Two thouſand acres of the Leontinian lands, free of taxes, were aſſigned to that great rhetorician Sextus Clodius; though the republic has never reaped the leaſt advantage from his pupil's rhetoric. Perhaps this was ſo ordered in Ceſar's commentaries? But I ſhall reſerve the depredations on "the Leontinian and Campanian lands for a future diſcuſſion; with others torn in the ſame manner from the ſtate, and given to the moſt abandoned, the moſt infamous perſons. Enough has already been ſaid in anſwer to Antony's accuſations: I muſt now proceed to give this hero ſome gentle and wholeſome correction, upon the ſubject of his own conduct. I will not enumerate all his vices in one encounter; that I may have always ſomething new to alledge,

[ar] [AR] NOTE XLI. [as] [AS] NOTE XLII.

in caſe we ſhould often contend. Indeed, the number and magnitude of this man's crimes, furniſh me with moſt extenſive arguments of that kind.

At what period ſhall I begin with you? At your firſt entrance into life? Do you remember taking the robe; and when a boy, beggared by vices. You will perhaps, charge that circumſtance upon your father? And juſtly. However, the defence is pious and affectionate, no doubt. Your firſt appearance in public, foretold your future audacity. Placing yourſelf in thoſe ſeats of the theatre, ordained for the knights, by the [at] Roſcian law, though diſqualified yourſelf by the act which fixes the eſtate of a knight; this was, I ſay, no token of your modeſty. The robe of manhood alſo, upon you, ſoon became [au] the covering of a female. [aw] Your firſt eſſay in that ſex, was in the character of a public proſtitute. Your price was rated, and tolerably high. But preſently, Curio interfered, and took you into his keeping. New, and expenſive arrangements, ſhewed that he had excluſively appropriated you to his own pleaſures. Nor, could any ſlave bought for ſuch a particular uſe, have been more under the power of his maſter, than you of Curio. How often were you baniſhed from the houſe by Curio's father? How conſtantly did he place a guard, to keep you out? But you as conſtantly, under favor of night, under the compulſions of ſtimulative luſt, and the craving ſuggeſtions of poverty; found your way through the roof of the houſe. Till,

[at] NOTE XLIII. [au] NOTE XLIV.
[aw] NOTE XLV.

at

at length, your infamy became ſo great; he would endure it no longer.

TELL me, do I, or not, ſpeak the facts of my knowledge? And do you, or not, remember the time, when this anxious father lay weeping in his bed; Curio, proſtrating himſelf at my feet; commending you, with bitter lamentations, to my care; intreating me to ſcreen you from a debt of [ax]ſix millions of ſeſterces, in caſe his father ſhould make the demand, he having become ſecurity for you in that ſum? Curio nevertheleſs, burning with paſſion, and unable to bear a ſeparation from you; prepared himſelf alſo, for baniſhment. In this exigency I appeaſed, or rather bore the weight, of all the misfortunes of that noble family. I perſuaded the father to diſcharge Curio's debts; and obſerved, that there was much good ſenſe, and a nobleneſs of ſoul, clearly diſcernible in the young man. I adviſed him alſo above all things, to exerciſe his paternal right and power in prohibiting Curio, not only from a familiar, but from any intercourſe whatever, with you.

REVERT to theſe circumſtances; then ſay, if you had not relied on thoſe honeſt, worthy men, your friends, who environ us; whether you would have preſumed to uſe ſuch language as you have, in ſpeaking of me?

BUT, I am going too deep in the relation of this man's abominable, and flagitious vices. Many of them, decen-

[ax] NOTE XLVI.

cy compels me to conceal. But, he is emboldened by this circumſtance; and builds defiance upon knowing, that an adverſary of delicacy, cannot urge all the arguments which are againſt him.

TAKE a view of his whole life. This, however, I ſhall but briefly touch upon, in order to haſten to the period of the civil war; during which we ſuffered, as we ſtill continue to ſuffer, every ſpecies of calamity. Many of the incidents I ſhall relate, you are, I know, even better acquainted with than myſelf; nevertheleſs, as the ſubject is of a very complicated nature, I preſume once more, to aſk for an attentive and indulgent hearing. In ſuch caſes, [ay]not a ſimple knowledge of the facts, but an intereſting relation of them; is what muſt operate upon your minds. I ſhall however, begin with this hero in advanced life, leſt he ſhould ſhorten the thread of my narration.

OBSERVE, I beſeech you, Conſcript Fathers, with what grace, this man relates his favors towards me; who was himſelf, the [az]friend of Clodius in his tribuneſhip. Yes you, Antony, was the torch, that fired his heart to the perpetration of every ſpecies of infamy. What was you doing in his family, at the ſame time? You muſt eaſily comprehend my meaning. Soon after this, you made an incurſion to [ba]Alexandria; not only in contempt of the ſenate's orders, but in defiance of your religion. You

[ay] [AY] NOTE XLVII. [az] [AZ] NOTE XLVIII.
[ba] [BA] NOTE XLIX.

had

had that great commander Gabinius, with you; all therefore, muſt be right.

LET us notice the manner, in which you returned. With what intentions? [bb]You perſued your journey from Egypt to Tranſalpine Gaul, without even viſiting your own houſe in Rome. Your houſe, did I ſay? Every man in Rome had a houſe, except Antony; he had none. But, why do I mention you, as the poſſeſſor of a houſe? Tell me, where you had a place to cover your head, except at Miſenum; and that, like Siſapo, you held but in common, with other copartners of the ſame principles.

FROM Gaul, you returned, to canvaſs for the Queſtorſhip. To whom was your firſt viſit made? Say, was it not to me, at the expence of your filial duty? I had received Ceſar's requeſt by letter, deſiring me to be ſatisfied with your acknowledgments. Out of regard to Ceſar, I even diſpenſed with your acknowledgments. You then, began to conſider me as your patron; and, I gave you, my ſanction for the Queſtorſhip.

ABOUT this period, you made that attack in the forum upon Publius Clodius' life, which was ſo much applauded by the people. And though you declared, that nothing leſs than the offering up this victim by your hands, could atone for the injuries you had heaped upon me; the act was nevertheleſs your own pure ſuggeſtion, in no ſhape, inſinuated by me. With what confidence therefore,

[bb] [BB] NOTE L.

muſt

muſt you aſſert, that [bc]when Clodius fell by Milo's hand, I planned the enterprize; ſeeing, that when you made ſuch a propoſal, I gave you no encouragement to proceed? Nevertheleſs, if you had perſevered in that deſign, I ſhould have imputed the act to motives unexpectedly glorious in you; rather than to any regard for my intereſt, or ſafety.

THE Queſtorſhip however, you obtained, but inſtantly, without any order of the ſenate, any appointment or form of law, you flew to Ceſar; as to the only refuge upon earth for debtors and paupers, for infamous and abandoned profligates. When, by his largeſſes and the exerciſe of your own rapacious talents, you had filled your coffers with plunder, if I can call them filled with what you muſt ſo ſoon reſtore, you preſſed forward to the Tribuneſhip; keeping the example of your dear aſſociate in that office, as the rule for your own conduct.

WITH your permiſſion, Honored Patricians, I will now enter upon a detail, not of Antony's perſonal vices, nor of the laſcivious, intemperate and vicious conduct, he has perſued in his own family, but into a relation of his impious and daring attacks, upon your lives and fortunes; or in other words, upon the Roman ſtate.

IN Antony, behold then, the ſource of all your misfortunes. When, in the Conſulſhip of Lucius Lentulus, and Caius Marcellus, you ſhewed a laudable deſire of

[bc] [BC] NOTE LI.

propping

[bd]propping the weak and tottering ſtate, and of making terms with Ceſar, if he could have been brought to reaſonable conditions: This venal and corrupt tribune [be]interfered, and oppoſed your deſigns; though he ſubjected himſelf to ſuch ſevere penalties, as many, for much leſs crimes, have ſuffered. The ſenate was then in a flouriſhing period; and many great lights, ſince extinguiſhed, illumined that aſſembly. The ſenate decreed however, according to the cuſtom of their anceſtors in ſimilar caſes; that you, their magiſtrate, was the enemy of the republic. And have [bf]you, the declared enemy of the ſtate, the daring aſſurance to invoke that ſenate againſt me; by whoſe unanimous ſuffrage, I have been declared the ſavior of the republic? Be aſſured, that though the regiſter of your guilt has been expunged, the remembrance of your crimes, remains freſh in the memory of the ſenate. Yes, while the race of man ſhall have being, or the Roman name exiſt which, but for you, cannot fail of being immortal; ſo long ſhall your peſtiferous interference, be the ſubject of patriotic execration.

Could there be aught ſo crude or raſh, in the ſenate's reſolve, that you a boy ſhould dare to interpoſe, againſt the effect of ſuch a decree; the object of which, was the immediate ſafety of the republic? How many inſtances occurred, wherein you would not ſuffer even a debate, about the power of your authority over the ſenate? What do you imagine the ſenate could mean by their decree,

[bd] [BD] NOTE LII. [be] [BE] NOTE LIII.
[bf] [BF] NOTE LIV.

but

but to ſhew their apprehenſions of your deſign to overturn, and annihilate the government? But, your corrupt and determined reſolutions, neither the ſupplications of our principal citizens, the advice of the moſt experienced men, nor the debates of a full ſenate, could ſtay. Then, but not till after innumerable provocations, the ſenate ſtruck that blow, which wounded you ſo deeply. A blow, which though few had felt before that time, had nevertheleſs, when given, been always ſeverely felt. Immediately thereupon, this venerable order armed the Conſuls, their generals, and their magiſtrates, with ſuch power; that had you not flown to Ceſar's camp, you muſt have finiſhed your career of oppoſition.

Cesar, then waiting to invade us, was by this procedure, furniſhed with a pretence, for making war upon the republic. What other pretence could he poſſibly have deviſed? What ſeeming, what poſſible reaſons, could he alledge for the violence of his conduct, but the ſenate's contempt of Antony's interpoſition; their degradation of his [bg] Tribunitian authority; and their proſcription of his perſon? I will not animadvert, upon the falſhood and inſufficiency of theſe reaſons; becauſe no reaſon whatever can juſtify a ſubject, in taking up arms againſt his country. Upon this occaſion however, I ſhall alledge nothing againſt Ceſar; your own conſcience muſt ſufficiently inform you, who was the origin of that deſtructive war. How wretched muſt thou feel Antony, if thou knoweſt, how much more wretched from igno-

[bg] [BG] NOTE LV.

rance,

rance, if thou doſt not know; that thy acts are now upon hiſtorical record, and ſo fixed for the inſpection of future ages, that lateſt poſterity will have them perfectly repreſented to their view. There remoteſt ages will ſee, that our Conſuls, with Pompey the ornament, the luminary of the Roman empire; were forced to flee from their native land. That, [bh]all the ancient Conſulars who were able to eſcape, the then and former pretors, the tribunes, the greater part of the ſenate, the whole circle of our youth; were all, expelled from Rome. And that the republic itſelf, was wrenched from its frame of government?

As the ſeed is the ſource of vegetation in trees and plants; ſo ſurely art thou the ſeed, from whence this direful war proceeded. You mourn, Fellow Senators, [bi]the ſlaughter of three Roman armies:—By Antony ſlaughtered. You bewail your moſt illuſtrious citizens, torn for ever from the republic:—By Antony bereft of them. The degradation of your ſenatorial authority, you alſo lament:—By Antony degraded. All thoſe evils which enſued, and what ſpecies of evil have we eſcaped? All will be found, to have originated:—In Antony. [bk]As Helen to Troy, ſo has Antony been to the republic: The ſource of war, calamity, and finally of our deſtruction.

The reſt of his Tribuneſhip, was exactly conformable to the beginning. Whatever had been done by the ſenate for the advantage of the republic, he annulled. His Tribune-

[bh] [BH] NOTE LVI.

[bi] [BI] NOTE LVII.

[bk] [BK] NOTE LVIII.

ſhip, from an unvarying ſeries of infamous practices, might indeed, be juſtly called the ſeat of infamy. He pardoned numberleſs malefactors, but his [bl] uncle was not of the number. If ſeverity was his plan, why excuſe ſtrangers? If mercy, why except his relations? But, I will not particularize the inſtances. I ſhall only juſt mention his old play-aſſociate Licinius Denticula, condemned on the gaming act, whom Antony reſtored. Some may ſuppoſe, that Antony's love of order and propriety, would not permit him to infringe the laws, by playing with his friend while under the proſcription of the law; but the true reaſon was, abſolving himſelf from his play-debts.

But what was the oſtenſible reaſon you held out to the people, for reſtoring Denticula. He was perhaps, abſent at the time the charge was brought againſt him; judgment given before the indictment was opened; no ſtatute then exiſting in reſpect to gaming with dice; overborne by force and arms: or laſtly, in his caſe as was ſaid in your uncle's, corrupt influence might have been uſed? Did none of theſe inſtances operate? He was perhaps, a virtuous man, and a patriot? That certainly, had no weight with you. Had that been the caſe, though he was juſtly condemned, I ſhould not have excepted againſt his pardon. But Antony, who could reſtore the moſt abandoned man, a fellow who had dared to play with dice in the forum, and had been convicted on the very expreſs act againſt that practice: Does not, I ſay, the reſtorer of

[bl] NOTE LIX.

ſuch

ſuch a man, publicly proclaim himſelf to be equally addicted to the ſame vice?

AGAIN, in the ſame tribuneſhip, when Ceſar paſſing over into Spain, delivered Italy to be ſcourged by Antony. By what effects was his progreſs marked? [bm]O what a glorious review of the municipals! I am well aware, that the importance of this review has introduced the ſubject every where; and that the facts themſelves, are more intimately known to thoſe who were then in Italy, than to myſelf who was not. Nevertheleſs, I will point out the principal circumſtances; though my utmoſt powers of deſcription cannot equal the knowledge you derive, from ſo near an acquaintance with the facts. Do the annals of the world furniſh one inſtance, of ſuch an atrocious adminiſtration? Of one, ſo infamouſly wicked, ſo void of the leaſt appearance of decency, as Antony's, at this time? But, let us take a review of the hero's proceſſion.

A TRIBUNE of the people, intruſted with the higheſt charges of the ſtate, carried in a chariot; [bn]preceded by lictors wearing the laurel; an actreſs borne in an open chair; the corporations and citizens of the principal towns, compelled to meet and ſalute her, not by her ſtage name, but by her honorary name Volumnia; carriages, filled with pimps and miſcreants the conſtant companions of this noble pair, following in this glorious proceſſion; while the wretched Julia, more like a nurſe than the mother of Antony, attended on the ſtrumpet of her abandoned ſon.

[bm] [BM] NOTE LX.

[bn] [BN] NOTE LXI.

Unfortunate mother! better barrenneſs had early ſeized thy womb, than ever to have teemed with an Antony! With a ſon, who impreſſed on our corporations, our [bo]provinces, colonies, and indeed on all Italy; ſuch marks of his infamy and deſpotiſm, as no time can efface!

To proceed further in a deſcription of this man, is an undertaking of danger and difficulty. He delights in blood; and ſtill more ſo, in ſhedding the blood of virtuous men. And if there can be happineſs in infamy, he is the happieſt man alive. But I will be cautious, Antony, of offending your veterans: though their caſe is very different from your own. [bp]They were the followers only; you the leader. However, that I may not incur their reſentment in any ſhape, I ſhall be ſilent on the nature of that war.

You returned Sir, a [bq]conqueror, from Theſſaly to [br]Brunduſium, with your legions; where, though you found me, you did not put me to death. What godlike benevolence! You poſſeſſed indeed, the power, though you muſt acknowledge, there was not a ſoldier in your army, who did not declare againſt violence being offered to my perſon. Thence you may learn, the tender feelings of patriotic love. Even your myrmidons, deemed the ſecurity of my perſon a ſacred object; becauſe they remembred, I had been THE SAVIOR OF THEIR COUNTRY. But, admitting your curious argument, that non-priva-

[bo] [BO] NOTE LXII.
[bp] [BP] NOTE LXIII.
[bq] [BQ] NOTE LXIV.
[br] [BR] NOTE LXV.

tion,

tion, is equivalent to, or really a gift; and in conſequence, that by not taking, you gave me life. At what rate can I now eſteem the gift; your future conduct toward me having been ſuch, to compel me to ſpeak thoſe things I now utter?

To Brunduſium however, you came, entranced upon the boſom, and revelling in the charms of your theatric queen. Do I not ſay a truth? O how wretched the dilemma, to be unable to deny what one is aſhamed to confeſs! If you could boldly face our municipal cities in the manner you did; could you not ſee the impropriety of expoſing yourſelf to the army? Was there a man of your whole corps, who did not ſee your fair heroine at Brunduſium? That did not know ſhe came a journey of many days, to throw herſelf into your arms? And that did not repent, though too late, of following the fortunes of ſuch a worthleſs leader? Your ſecond tour through Italy, was in the ſame company. What a ſcene of oppreſſion, did the towns ſuffer through your ſoldiery! What a direful plundering of gold, ſilver, and particularly of wine at Rome!

We will now take a view of this hero, as maſter of the horſe. An appointment he owed to his friends at home, and not to Ceſar; who was then at Alexandria, and [bs]unacquainted with the tranſaction. This rank however, he thought might protect him in living publicly with [bt]Hippia; and in conſigning the tributary horſes, to

[bs] [BS] NOTE LXVI. [bt] [BT] NOTE LXVII.

Sergius

Sergius the actor. He then choſe the houſe of Marcus Piſo; not the houſe he now ſo ſhamefully poſſeſſes. But, why ſhould I relate the decrees, the rapaciouſneſs, and, the ſurreptitious legacies, he ſo diſgracefully forced from ſome, and beſtowed upon others? Dire want compelled, and he knew not where to obtain, the ſmalleſt legal ſupply. He was not then in poſſeſſion of the fine eſtates of Rubrius, and Turſelius. Pompey's ample fortune, had not as yet, got into his hands; nor was he, at that time, maſter of the effects of many others, which have ſince flowed into his poſſeſſion. His mode of ſubſiſtence was then, after the manner of thieves; he got juſt as much as he could ſteal. Waving however, theſe inſtances of his rapacity; let us for a moment turn our view to the levity and follies of his perſonal behavior.

Do you, Sir, remember the powerful potation, with which you honored the nuptials of Hippia? Do you recollect, that the quantity of wine, with which you drenched that throat, ſwelled thoſe ſides, and bloated that whole athletic body of yours; digeſted ſo ill, to make you ſerve it up next day for a regale to the people? So filthy a circumſtance, ſhocks even in the relation. Had this happened at table, and in the warmth of ſociety, you could ſcarcely have hoped for pardon; but in the preſent caſe, the diſguſt is intolerable. How truly reprehenſible in you, bearing the high dignity of maſter of the horſe, and in the preſence of the moſt reſpectable aſſembly of the univerſe, to act the ſlighteſt indecency. But, for one ſo dignified and ſo circumſtanced, to vomit forth a ſkinful of indigeſted meats and rank ſmelling wine into

into the very boſom and around every corner of the aſſembly; is ſuch an inſtance of gluttony and offence, as no excuſe can ſoften. This however, Antony allows to be numbered among his perſonal faults; let us now look for the ſhining parts of his character.

CESAR ſet out for Alexandria. Happy, to all appearance, in his then ſituation; but in my mind, no man can be happy who entertains evil deſigns againſt his country. We then beheld, [bu] before the gates of Jupiter Stator's temple, a public auction of Pompey's effects. Alas! my tears have ceaſed to flow at the mention of Pompey's name; but my grief never can ſubſide! Yes, Venerable Fathers, we all heard, the heart-piercing voice of the public cryer, announce the ſale of all his property and poſſeſſions. This was the only inſtance, wherein the city ever dared to exerciſe its ſorrows for the loſt Pompey. Though generally held in the moſt ſervile chains of fear, Rome however, on this occaſion, did give ſcope to grief. Every man looked forward to the event, with aſtoniſhment; to ſee, who could be found baſe and bold enough, in defiance of men and gods, to offer for the purchaſe. And no man, except Antony, was found ſo great an enemy to his country. For, though numbers ripe for every other ſpecies of infamy, ſurrounded the place of ſale; it was reſerved for Antony alone, to do what other conſummate villains were incapable of effecting.

WHAT ſtupor, or madneſs ſeized you, not to reflect,

[bu] [BU] NOTE LXVIII.

that

that when a man of your birth and deſcent, became a buyer at auctions in Rome, and of the goods of Pompey; he rendered himſelf obnoxious to every power of heaven and earth, both in the preſent, and to all future time? But how inſolently, and with what avidity, did you poſſeſs yourſelf, of the fortunes of that excellent man; whoſe bravery had made the Roman name as terrible, as his juſtice had rendered it dear to foreign nations?

FLUSHED however, with this new acceſſion of wealth, no bounds remained to Antony's exultation; though the ſudden tranſition very much reſembled the character of a play, where the hero is one moment a beggar, the next a Craſſus. But as ſome author, I forget who, obſerved; "Ill-gotten "wealth is ſoon ſpent:" ſo, this hero, in a manner as incredible as portentous; in a few, I will not ſay months, but days, diſſipated all theſe vaſt acquiſitions. What a quantity of wine, of maſſy plate, of rich dreſſes, of furniture ſufficient for ſeveral houſes, ſome magnificent, though rather expreſſive of plenty than luxury; what quantities I ſay, of all theſe valuable things, were conſumed or alienated in a few days, by this wretch? The whirlpool of Charybdis, could not have ingurged ſo much, in ſo ſhort a time. But, why do I mention Charybdis? If there ever was a Charybdis, it was but one monſter. Whereas, an ocean could ſcarcely have ſwallowed or conſumed ſuch vaſt property, and ſo variouſly ſited, in the ſame proportion of time. No locks, no inventories, no checks upon any thing; all was abandoned, to the plunder of his miſcreants. Some fell to the ſhare of the male, ſome to the female players. Gameſters and drunkards, made

made their conſtant reſidence with him. The whole day was a ſcene of drunkenneſs and noiſe, in all his houſes, while he became the prey of dicers; for Antony, was not always a ſucceſsful player. And to conclude this libidinous ſcene, the purple hangings of Pompey's rooms, were conſigned to the vile purpoſe of covering ſlaves. When all is conſidered, we ſhall however, no longer wonder at the quick conſumption of his rapacious plunder. Such a ſquanderer was equal, not only to the diſperſion of one patrimony, however ſplendid and ample; but, to the diſſipation of cities and kingdoms.

THE houſes, the gardens of Pompey, all diſappeared in the ſame manner. That you, O matchleſs impudence! ſhould dare approach the houſe of Pompey, dare to paſs the [bw]awful threſhold of that edifice; to preſent your gladiatorial front, before the houſhold gods of that illuſtrious family! Are you not ſhocked with the remembrance of having proſtituted that ſacred building, which for many years after, drew tears from every beholder; to the vileſt purpoſes? Though you bear, I know, a heart of flint; you never could experience one real enjoyment, in that houſe.

WHEN you beheld [bx]the naval trophies in the porch, could you ever ſeduce yourſelf into a belief that you were entering your own houſe? Abſent of mind, and vacant of thought, as you certainly are, you have however recollection ſufficient to know your friends and yourſelf; and

[bw] [BW] NOTE LXIX.

[bx] [BX] NOTE LXX.

to ſeel, that you are not a Pompey. Many therefore, muſt have been the compunctions of ſoul, both ſleeping and awake, which you felt in that houſe. Violent and deſperate as is your frame of mind, the image of that great man muſt ſometimes obtrude upon your imagination. Then, if aſleep, what horror muſt ſhake; if waking, what frenzy ſeize you?

THE walls, the roofs became, in my eſtimation, objects of commiſeration. No act, was ever perpetrated within the one nor under the other, during Pompey's reſidence, that modeſty could not warrant, or the moſt rigid ſcrutiny juſtify. The exacteſt diſcipline, was there inſtituted. Yes, Noble Compatriots, you well know, Pompey was a man, whoſe virtues were as apparent in a private, as his abilities in a public line of conduct. Hard indeed to determine, which was the greateſt object of imitation and applauſe. How dreadful to behold, the perverſion of ſuch a noble eſtabliſhment! To ſee the bedchambers transformed into ſtews; the dining rooms, into places of riot and drunkenneſs! Here, he pretends to be ſqueamiſh, and to deny the fact. You muſt aſk no more queſtions, Fathers Conſcript, but remain ſatisfied on this head. He is now become an excellent economiſt. [b]His actreſs is ſent away and divorced with every ſpecies of legal propriety. He reſtores her fortune; ſhe delivers up her keys, and quits his houſe. Was ever a more ſober, and reformed man? To be candid, the greateſt merit of his life conſiſts, in the divorcement of his dramatic fair.

[b] [BY] NOTE LXXI.

BUT

But why ſo often, and in a ſtrain of exultation repeat, the words [bz]Consul, and Antony? That is ſaying no more than Consul, and Scoundrel: Consul, and Villain. For, what other terms are juſtly due to Antony? If indeed, the mere name of Antony, had ſignified dignity, if that alone had conveyed any ſuperior idea; it muſt have been when applied to your grandfather. But he, never uſed the name of Antony in that ſenſe. Your uncle, my colleague, might alſo with great propriety, have applied the term to himſelf; had any merit been the known attribute of the name. But perhaps you are to be conſidered, as the only real Antony that ever exiſted? Here however, I will ſtop, and draw a veil over thoſe incidents, which do not immediately relate to public grievances; and go back to that ground, on which you ruined the republic. Yes, I will once more treat of that fatal war; engendered, foſtered, and upheld by your arts.

Your luſt and your fears, rendered you notwithſtanding, defective in the proſecution of this, your favorite perſuit. You taſted, or rather wallowed in Roman blood; you had a diſtinguiſhed poſt, in the battle of Pharſalia; you ſlew that great and noble Roman, Lucius Domitius; and you put to death, numbers who fled on that day; whom Ceſar, moſt probably, would have ſaved. But after all theſe noble deeds, [ca]why did you not follow Ceſar into Africa, where ſo much remained to be done? What recognition did Ceſar make of your warlike genius, at his return from the concluſion of the African war? Did you

[bz] [BZ] NOTE LXXII. [ca] [CA] NOTE LXXIII.

obtain any new preferments? As commander of the forces, you had been his queſtor; as dictator, his maſter of the horſe; you had been alſo, the firſt mover of the war, the author of his cruelty, the aſſociate in his depredations; and, as you pretended, the heir of his fortunes. But you were now called upon, to make good the purchaſe money for the houſe, the gardens, and the reſt of Pompey's effects.

THAT demand threw a new light upon your affairs. At firſt your anſwer was fierce, and violent; though, leſt every thing I ſay ſhould ſeem to make againſt you, your arguments I muſt confeſs, were good. "Ceſar, make a "pecuniary demand upon me? Might I not call upon "him, with equal propriety? Could he have conquered "without my aid? No. I gave him the clue, the pre-"tence for war; through my means alone, certain de-"ſtructive laws were enacted. What indeed have I not "done? I have borne arms againſt the Conſuls, againſt "the forces, and the ſenate of Rome. I have fought "againſt the Gods, and, againſt my country. [cb]Againſt "religion, and liberty, I acknowledge to have ſet up "my ſtandard." You might alſo have aſked Ceſar, if he conquered only for himſelf? You might have ſaid, that as the crime was common to numbers, why ſhould not the plunder be likewiſe ſo; and that you demanded but juſtice. Theſe requiſitions however, could avail you but little while he was in the plenitude of power; and ſuch was the event. Regardleſs of

[cb] [CB] NOTE LXXIV.

your

your excuſes, his ſoldiers ſeized upon you, and your ſecurities.

At this period, you contrived your curious ſchedule. What an univerſal ridicule was excited! [cc]Such a catalogue beſide, of great, and extenſive eſtates! In which, except [cd]a part of Miſenum, not a ſingle item was actually your property. The few articles expoſed on that occaſion, conſiſting of Pompey's old cloaths, ſome of his battered plate, and a very few of his wretched ſlaves in rags and filth; ſerved only to make us regret, that any thing of Pompey's which remained, ſhould appear. But this poor expedient, did not ſucceed. The heirs of Lucius Rubrius, by an order from Ceſar, ſtopped the ſale.

Here [ce]the villain was enſnared. What courſe was now to be perſued? [cf]The life of Ceſar muſt be attempted; an aſſaſſin, ſent to his houſe. Who, report ſays, was taken with the dagger in his poſſeſſion. This, Ceſar often, and publicly reproached you with, in the ſenate. At his departure for Spain, he gave you, on account of your exceſſive indigence, a ſhort time to render the money demanded. Why did you not follow him? So excellent a gladiator, diſcharged ſo ſuddenly! His courage, I fear, was doubted. And, ſhall we be afraid of a man, whoſe ſpirit failed him in the proſecution of engagements, where his advancement was moſt materially concerned? At length however, you did ſummon reſolution to follow Ceſar into Spain, though

[cc] [CC] NOTE LXXV.
[cd] [CD] NOTE LXXVI.
[ce] [CE] NOTE LXXVII.
[cf] [CF] NOTE LXXVIII.

through

through circumſtances of the greateſt danger, as you have told us. What was the ſituation of Dolabella, in his march? Antony, you ſhould not have engaged in that cauſe, or have perſued the buſineſs with unremitting vigor. Ceſar, was three times engaged with his fellow-citizens; in Theſſaly, in Africa, and in Spain. Dolabella likewiſe was preſent, in all thoſe engagements. In Spain, he was wounded. If you aſk my opinion of his cauſe, I abhor it; but his courage and perſeverance, I ſhall ever admire. Let us analize you.

The firſt ſolicitations of Pompey's children, were to be reſtored to their country. You were, I grant, not the only one, who oppoſed thoſe ſolicitations. They demanded afterward, not only the reſtoration of their religious and civil rights, as citizens of Rome; but, the reſtitution alſo of their patrimony, their inheritance, and their fathers effects; of all which, you had uſurped the poſſeſſion. And though they demanded theſe, their lawful rights, with an armed force; yet nothing could be more juſtifiable, if any proceſs on a bad action can be ſo, than that the uſurper of Pompey's eſtate ſhould defend the poſſeſſion, againſt his heirs.

But, [cg] was not Dolabella fighting your battles in Spain, while you were vomiting indigeſtible loads of gluttony, at Narbonne? You are pleaſed to aſk, why I ſo ſuddenly returned? Give me leave alſo, to aſk, in what manner you returned from Narbonne? I have already

[cg] [CG] NOTE LXXIX.

explained,

explained, the cauſe of my return. I was deſirous of attending upon my duty here, by the kalends of january. My firſt appearance, was in the face of day, not under cover of the night: and in robes and ſenatorial ſhoes, not in galoſhes, and a ſhort cloke. You ſeem angry, Antony, if I may judge by your countenance. Did you know I love you ſo much, to be more concerned for your iniquities, than you are yourſelf; you would ſoon be in friendſhip with me. Of all the infamous proceedings, regiſtered in the annals of mankind, your's were the moſt infamous. You, conſtituting yourſelf maſter of the horſe; you, intending to ſolicit, or rather demand the Conſulſhip, in the ſucceeding year; that you, ſhould make the tour of the cities and colonies of France, from whoſe inhabitants the Conſulſhip was to be ſolicited, though in times when ſolicitations and not demands, obtained that honor: I ſay [ch] that you, ſo circumſtanced, ſhould make your tour, attired in the dreſs I have already deſcribed, exceeds every other inſtance of flagitiouſneſs upon record.

Now mark the levity of this wretch. Arriving at the Red Rocks about four in the afternoon, he alighted, and ſtole into a paltry tavern; where he continued drinking, and inviſible, till evening. Then reaſſuming his curricle, he drove furiouſly to the city, but muffled, in order to conceal his face. The porter's interrogation: "Who "is there?" He anſwered with: "An expreſs from your "maſter." Being introduced to a certain lady, on whom his wild extravagance was to be practiſed, he delivered

[ch] [CH] NOTE LXXX.

her

her a letter as from himſelf; which was too affecting to be borne, without the moſt agitating ſenſations. The letter was couched in the tendereſt, the ſofteſt terms; and ſignified, that Antony intended henceforward, wholly to abandon the actreſs, and transfer his affections entirely to this lady. Tears of joy overwhelmed her. The tender-hearted Antony, was not proof againſt them; but throwing off his diſguiſe, claſped her inſtantly in his arms. Abandoned wretch! How ſhall I find an appellation that ſuits you better? And ſo, becauſe you, a wretch, might indulge [ci] an idle whim with a favorite woman, the city muſt be rouzed, in the middle of night, with the horror of your coming; and all Italy, for many days, kept in the moſt alarming ſuſpenſe, by your preſence. Love at home, might be one cauſe of this journey; but an equally-prevailing, and equally-ſcandalous reaſon, operated without doors. Lucius Plancus, threatened your ſecurities. When brought before a deputation of the ſenate by the tribune, to ſhew the cauſe of your return; recollect your anſwer. You muſt remember how the people laughed, when you told them: "Your private affairs brought you "there." For the preſent however, a truce with your follies. More important circumſtances ariſe, to demand our attention.

And firſt, your journey to meet Ceſar, at his return from Spain. What an undertaking, and with what alacrity performed! You reſolved, whatever opinion he entertained of your courage, he ſhould entertain no doubt

[ci] [CI] NOTE LXXXI.

of

of your activity in his cauſe. By ſome ſtrange revolution, he again received you into favor. But Ceſar had eſtabliſhed as a principle, the cheriſhing of the needy and the profligate; where thoſe qualities were united with a daring and an enterprizing ſpirit. Theſe noble and recommendatory qualities, procured you the honor of being returned his colleague in the Conſulate. I ſhall ſay nothing of the perſuaſive tricks, the illuſive arts, practiſed by both; to influence Dolabella to deſiſt from his deſign upon the Conſulſhip. For, who is ignorant of your deceptive and perfidious treatment of that man?

Did not Ceſar propoſe Dolabella, as a candidate? Was not the Conſulate, reciprocally promiſed and accepted? And did not Ceſar afterward, in conjunction with you, juſtle him out of his pretenſions? The kalends of january arrive. The ſenate is ordered to aſſemble. With how much more violence and invective, than I do now, did Dolabella then attack you? Immortal Gods! as his paſſions roſe, what reflections he uttered upon your conduct. Ceſar's firſt declaration was, that before he left Rome he ſhould [ck] ORDER Dolabella to be pronounced Conſul. And will the beſt friends of Ceſar ſay, that this, and ſimilar declarations, were not prognoſtic of his deſigns upon the imperial power of Rome? Nevertheleſs, when Ceſar had delivered this information, our pious augur aſſerted, that the powers of his holy function enabled him either to prevent, or annul the election of Dolabella. And he further declared, his intention of exerciſing thoſe

[ck] [CK] NOTE LXXXII.

powers. How this incredibly-ſtupid fellow involves himſelf! Could you more eaſily perform this, by the ſacerdotal character, than by the Conſular? The annunciation only, appertains to the augurial college; the Conſuls and other magiſtrates, have the right of reviſion.

WELL, we will excuſe this miſtake; perſpicuity ſhould not be expected in a man ever drunk; but we may notwithſtanding, notice his aſſurance. Several months preceding this period, he declared in the ſenate, that he would [cl]prevent Dolabella's election; either by his management of the auſpices, or by the method, he actually adopted. Could any mortal relate the events of the auſpices during the election, unleſs permitted to inſpect them at the Comitia? And that was totally illegal; becauſe the augur muſt neceſſarily make his report previous to the commencement of the election. But Antony's ignorance and impudence are ſo united, that he neither knows the acts an augur ought to perform, nor thoſe he ought to be aſhamed of performing. You muſt remember his conduct from that day, to the ides of march. Could any, the meaneſt officer in your ſervice, conduct himſelf in ſuch an abject, humiliating manner? He pretended to no conſequence nor power, was an humble ſupplicator merely. Then [cm]forcing himſelf upon Ceſar in his litter, he urged him with requeſts and ſupplications, for benefits and grants; ſolely for the purpoſe of raiſing money.

[cl] [CL] NOTE LXXXIII.

[cm] [CM] NOTE LXXXIV.

HOWEVER,

HOWEVER, let us review the day of Dolabella's election. The prerogative tribe has drawn; Antony makes no objection. The conſuls have declared; he is ſtill ſilent. The firſt claſs of that tribe is called over; reported. The ſame form practiſed with the ſecond claſs. All this executed in a ſpace of time, not exceeding that neceſſary to deſcribe the tranſaction. At this criſis, [cn]another Lelius appears in Antony. ADJOURN: ADJOURN. Unparalleled effrontery! What did you ſee, what did you hear, what did you perceive? You did not then, nor ſince, pretend to have examined the Heavens. No, this trick of adjournment, was that mode of viſitation, which you predicted in the kalends of january. But this baſe procedure will, I truſt, operate to your own confuſion, and not to the injury of the republic. You have uſed religion, as a pretence to diſtreſs your fellow-citizens. As Augur, you have vitiated an election to the Augurate; as Conſul, to the Conſulate. But I will ſtop here, leſt I might ſeem to violate the acts of Dolabella; which muſt, ſome time or other, be offered for the conſideration of the augurial college.

THE arrogance and inſolence of Antony, upon this occaſion, is worthy of remark. The election of Dolabella, while it interfered with Antony's perſuits, was unduly made; but the moment ſituations changed, the auſpices were propitious. But if the report of an augur, made in the terms uſed by you upon that occaſion, is to bear no meaning; confeſs, that when you ſo curiouſly adjourned

[cn] [CN] NOTE LXXXV.

us, you was drunk. Or if thoſe words bear any meaning, I, though of augurial dignity myſelf, beg you will explain them to my comprehenſion.

But, immerſed as I am in ſuch a great variety of extraordinary matter, let me not loſe ſight of you in the moſt curious of all your ſituations, at the [co]Lupercal games. Behold, Conſcript Fathers, for a moment his countenance is exempt from diſſimulation. He is really moved, he ſweats at every pore, the blood forſakes his face. Do aught but diſcharge, as you did in the Minucian porch. Have you any obſervations to offer, in extenuation of that naſty buſineſs? I am anxious to hear them. Give us a ſpecimen, from which we may judge, whether the ſums laid out in rhetorical inſtruction, have been advantageouſly expended? Whether we made a good bargain in transferring the Leontinian lands to your maſter in rhetoric? However, let us refer to the Lupercal games.

You remember, I believe, the day when your colleague mounted upon a throne of gold, habited in robes of purple, and wearing a crown, ſat in all the ſtate of royal pomp, upon the roſtrum. You aſcended, approached the throne. Amidſt ſports and games, and the Lupercal character, Antony, you ſhould not have forgot, that you alſo bore the character of Conſul. [cp]You exhibited however, an imperial crown. A general groan enſued. How got you that crown? You found it there;

[co] NOTE LXXXVI. [cp] NOTE LXXXVII.

perhaps

perhaps chance threw the crown in your way? No Antony, this inſtrument, levelled at the freedom of your country, was prepared for the purpoſe. You placed that enſign of tyranny upon Ceſar's head, ſaluted by a tumult of groans, and hiſſes: but he rejected your offer, and his rejection was applauded to the Heavens. Thus you alone, unaided, would have eſtabliſhed a deſpotic monarchy; in the perſon of him, who was but your colleague, and your equal. And by an attempt, which went further in trying the ſufferance and forbearance of the Roman people, than any precedent one, had ever eſſayed. You then, made efforts to ſooth the mighty Ceſar: Caſt yourſelf an abject ſuppliant at his feet. And, for what did you ſupplicate? To be a ſlave? You might, and with great propriety, aſk ſlavery for yourſelf, whoſe tenor of life, from the firſt dawning of manhood, had been that of a ſuppliant and a ſlave, one capable of bearing, and actually bearing all things; but from the ſenate, and the people of Rome, you had no authority to make ſuch a requeſt.

THE glory of oratory, muſt ſhine wonderfully, in a ſpeech delivered by a [q]naked Conſul. Was ever ſo indecent, ſo infamous, ſo flagitious an inſtance recorded; as your haranguing the people, in thoſe circumſtances? Muſt I be doomed to ſcourge, and laſh you, through every act of your life? If you had one ſenſation of ſhame, the leaſt feeling whatever remaining; a moment's reflection on this ſingle act, would overwhelm you with anguiſh and

[q] [CQ.] NOTE LXXXVIII.

contri-

contrition. Highly as I reverence the glory of that god-like man; the ſorrows of my heart urge me to aſk: Whether an indignity is not derived to the nation, by permitting that Antony ſhould live, who impoſed a crown on Ceſar's head; while all mankind rejoice in the death of Ceſar, who refuſed to accept that offer of monarchy?

But, you proceeded ſtill further. You even dared to order "an inſcription to be made in the Kalendar, of the Lupercals: A MONARCHIAL CROWN, WAS, AT THE PEOPLE'S COMMAND, OFFERED BY MARK ANTONY THE CONSUL, TO CAIUS CESAR THE PERPETUAL DICTATOR; AND REFUSED BY CESAR. Your hatred and contempt of all order, is now no longer problematical; any more than your diſaffection to the city, and your diſguſt, even to the light of heaven. Nor, am I now ſurprized, that you ſpend your time in unconſtrained debauchery, among the worthleſs and abandoned; without a thought of the future. For, what benefit can you expect, from peace and regularity? What advantages derive, from laws and orderly arrangements? You, who would have overthrown all eſtabliſhments of juſtice and order; who would have erected a monarchy upon the liberties of Rome? Was Tarquin baniſhed; did Caſſius bleed; did Melius, Marcus Manlius, ſuffer death upon ſuſpicion of monarchial views: That Mark Antony might, at a ſubſequent period, eſtabliſh abſolute monarchy, in its full force?

But, I now return to the auſpices. And permit me

[cr] [GR] NOTE LXXXIX.

here

here to aſk, how you intended to conduct the affairs, which Ceſar deſigned to lay before the ſenate in the ides of march? Some ſay, you expected a few hints from me, on the buſineſs of the true auſpices; and that you determined, in all events, to be prepared for my attack. The tutelar deity of the Roman people, ſaved you at that time. Do not however imagine, that becauſe the attack was poſtponed, you are acquitted of the charges on that head. But, I have touched upon a period much prior to my principal ſubject, and ſhall return to the order of time.

What an inglorious flight! What a diſhonorable timidity ſeized you, on the great day of liberty to Rome! Alas! what a dreadful circumſtance is a bad conſcience, in trying caſes! In your flight you were favored by thoſe, who though you perhaps dreaded, yet wiſhed you ſafe; but you retired privately to your houſe. O uſeleſs, yet truly prophetic divination! I told our intrepid deliverers in the "capitol, when they deſired me to ſeek and animate you to join in the general defence of the republic; that under circumſtances of fear they might extract any conceſſions from you, but thoſe impulſes ceaſing, you would certainly return to yourſelf. Thus, while the Conſular ſenators were treating with you, I continued firm to my purpoſe, in keeping clear of the negociation. I accordingly, neither ſaw you on that nor the ſucceeding day. Indeed I knew the impoſſibility, of forming any ſolid or laſting compact, between the nobleſt patriots and a moſt unprincipled rebel.

" [CS] NOTE XC.

On

On the third day however, I did appear in the temple of Tellus, though very reluctantly; for the houſe was ſurrounded with military. What a day was that, Antony, for you? By Heaven! though you ſuddenly, and unreaſonably became my enemy; I am grieved to think, how much more you are become an enemy to yourſelf. How glorious you appeared on that day! How bright a conſtellation might you have ſhone ever after, had the ſame diſpoſition continued! Peace was obtained, and through the means of [ct]a noble youth, the grandſon of Marcus Bombalio. Though fear could influence you, to take the line of rectitude for a moment; nothing could bind you to a continuance in the paths of duty. That infamous audacity, inſeparable from your character, recurred at the inſtant your fears ſubſided. When you poſſeſſed the ſenate's favorable opinion, though mine you never did poſſeſs through any ſtage of that buſineſs, even then you preſided at the tyrant's funeral rites, if that ceremony may without offence, be mentioned by ſuch an appellation. Yes, [cu]the deceitful panegyric, the piteous tale, the ſeditious exhortation; were all pronounced by you. Your's was the breath that kindled the flame, which half conſumed his body; your's likewiſe, the incendiary blaſt, by which the houſe of Lucius Belienus diſappeared. The infamous attack upon our dwellings, by a ſet of abandoned miſcreants, principally ſlaves, had you for its author. And then, thoroughly cleanſed as one would have imagined, from the footy buſineſs you had been about, you publiſhed, I confeſs, ſome excellent decrees; invalidating all grants for

[ct] [CT] NOTE XCI.

[cu] [CU] NOTE XCII.

immu-

immunities or exemptions, after the ides of march. You did not forget the exiles; and what you ſaid about the immunities, is worthy of remembrance. But the act which crowned you with the greateſt honor, was the abolition of the Dictatorial office, to all eternity. Who would not have conceived, from the nature of this act, that your averſion to monarchy, was inſuperable? And that from your eagerneſs to paſs the act, you were deſirous of removing every apprehenſion about the renewal of a dignity, which in the laſt poſſeſſor, had been ſo fatal to liberty?

The minds of the people ſeemed indeed, then to be lulled, into eaſe and ſecurity. But, nothing could remove my fears. I well knew, that under the guidance of ſuch a pilot, we muſt ſooner or later, be loſt. Was I deceived? No, I was convinced of the impoſſibility of your diſſembling much longer. Did not your walls ſoon after, glare with his publications of pardon, and immunities; not to individuals only, but to bodies of men? Not only particular perſons, but whole provinces at a ſtroke; were enfranchiſed, and made denizens of Rome. If theſe acts continue to exiſt, exiſt however they cannot, at the ſame time with your conſtitution; all your provinces, may be ſaid to be abandoned. And what is ſtill worſe, Conſcript Fathers, not only the revenues, but the ſovreignty of the republic, for ever loſt; by the infamous extent of one man's baſeneſs, venality, and corruption.

Where are the ſeven hundred millions of ſeſterces, which the books at the temple of Ops, declare to have been lodged there? A fatal accumulation of wealth, no

doubt! Nevertheleſs, not being returned, to thoſe from whom it had been extorted; ſuch a ſum ought to have been ſufficient to prevent any new demands upon the ſtate, at that juncture. But, this money had another courſe of operation. Let me aſk you Antony, where the four millions of ſeſterces were obtained, which you paid among your creditors, between the ides of march, and the kalends of april? And what ſhall I ſay, regarding the innumerable grants thruſt in upon us by means not unknown to you?

But, the moſt egregious of all thoſe impoſitions, was the decree poſted in the capitol, reſpecting [cw]Dejotarus, the approved friend of the republic. The exceſſive grief into which we were plunged, was not ſufficient to reſtrain our laughter upon that occaſion. Who could be more an enemy to another, than Ceſar to Dejotarus? As indeed, he was to the ſenate, to the equeſtrian order, [cx]to the city of Marſeilles; and to all he knew were dear to their country, and beloved of the people. Could any incident therefore, appear more truly farcical, than that Dejotarus, who never could obtain, either by ambaſſadors or by perſonal ſolicitations, the common returns of juſtice and right from the living Ceſar, ſhould become inſtantly, ſuch a favorite with the dead Ceſar? Ceſar, when alive, had been the gueſt of Dejotarus, and hoſpitably entertained at his court; yet he extorted Dejotarus' treaſures, exerciſed the moſt rigorous exactions upon part of his provinces, and actually placed one of his Greeks, to ſuperintend the col-

[cw] [CW] NOTE XCIII.

[cx] [CX] NOTE XCIV.

lection.

lection. Beſide which, he wreſted Armenia, a province that had been granted to Dejotarus by the ſenate, out of his hands. Thus, the mortal Ceſar was the plunderer, but Ceſar in the ſhades, the reſtorer of Dejotarus. What does Antony ſay, concerning this buſineſs? "Sometimes, "it appeared to him to be juſt, and at other times, not "unjuſt." A curious diſtinction! But this fact is certain, Conſcript Fathers, that Ceſar never deemed any requeſt we made in favor of that prince, a juſt requiſition.

An obligation for the payment of ten millions of ſeſterces, ſubſcribed Dejotarus, was iſſued by his agents; perſons of timid and unexperienced minds, though men of the greateſt honor. But this obligation was granted, without the knowledge of myſelf, or any of Dejotarus' friends; and fabricated in the ſeraglio of that prince. A place, from whence many venal and corrupt acts, have I confeſs, proceeded; and are ſtill in agitation. I am of opinion, you ought to conſider well, what ſteps to perſue in that affair. Dejotarus, by his own ſpirited conduct, and without the aid of Ceſar's tranſcripts; repoſſeſſed himſelf of his violated property, the inſtant he heard of Ceſar's death. A man of Dejotarus' wiſdom and penetration, knew that he was acting conformably to every principle of juſtice, in re-annexing to his own eſtate, what had been torn from it by a tyrant, the moment he could act with ſafety. No lawyer, not even your agent and adviſer in this buſineſs, will ſay, that you can legally attach the property recovered by Dejotarus before his obligation came into your hands. He did not purchaſe any thing of you. Indeed he could not, in this caſe; for he

was in poſſeſſion of the property in diſpute, before you had poſſeſſion of the obligation, upon which your claim is grounded. Dejotarus, was the prince indeed, upon that occaſion. But what ſhall we call ourſelves; we, who ratify the acts of a tyrant, whoſe memory we abhor?

WHEREFORE do I tire you, with the repetition of voluminous commentaries; of notes, forged without end to their number, and publicly exhibited for ſale, like [cy]gladiatorial bills? Moſt Honored Patricians, the influx of wealth derived from this infernal commerce, is ſo great, that with Antony, money is not counted but weighed. How blind and crooked, are the ways of avarice! An ordinance was lately publiſhed as Ceſar's, by which the wealthy part of the inhabitants of Crete, were diſcharged from further taxation; and the province itſelf, declared to be independent of Rome, at the expiration of [cz]Brutus' proconſulate. You muſt be bereft of your ſenſes, Antony; ſhould be confined. How could Ceſar frame an act, that had a proſpective view of Brutus' proconſulſhip; which you all know, was a circumſtance not even imagined in the life-time of Ceſar? Nevertheleſs Crete, by this infamouſly venal decree, is for ever ſevered from the Roman ſtate. But, no man ever offered to buy, what Antony was not ready to ſell.

CESAR, I ſuppoſe, likewiſe decreed, the act you have announced concerning baniſhed perſons? Though I would not be ſevere upon the unfortunate, yet I muſt ſay in the

[cy] [CY] NOTE XCV.

[cz] [CZ] NOTE XCVI.

firſt

firſt place, that you have reſtored thoſe, whoſe caſe Ceſar himſelf adjudged to be a cauſe of exception, in reſpect of their return; and in the next place I would know, why you have not brought back, all thoſe whoſe caſes were without exception? The excepted perſons did not exceed three, or at moſt four perſons. Thoſe who were in ſimilar circumſtances, why ſhould they not equally enjoy the benefit of that act? Why muſt you treat them, as if they were every one, an uncle?

Now I am ſpeaking of your uncle; let me juſt mention, not only the laughter and contempt you incurred in the reſtoration of others, while you continued him an exile; but the ſtill greater ſhare of both which fell to your lot, in aſking the Cenſorſhip, and preparing a petition for him. Tell me, likewiſe, why was not the Comitia held? Was the tribune's annunciation of the thunder, really ſiniſtral and unpropitious? Alas! ſo unconcerned as you are, about auſpicial events in your own affairs; that you ſhould be ſo very tenacious of them, in reſpect to your relations! How different, when your uncle ſtood for one of the Septemvirate! Then you deſerted him. The application was improper. No, Antony, perſonal motives prevented your aſſiſting him at that juncture.

But, you have loaded a man with the groſſeſt abuſe, whom, had you poſſeſſed a ſpark of virtue, you ought to have reverenced as a ſecond father. His daughter likewiſe, ſo nearly related to you, and in fact your bride, you repudiated; having firſt provided yourſelf with another

ther to ſupply her place. But, that injury did not come ſingly. [da] You accuſed the beſt of women, of the worſt of crimes. This ſeemed to be the ultimate ſtroke of malice; but you had further yet to go. In the kalends of january, at one of the fulleſt meetings of the ſenate, and in hearing of the lady's father, you had the audacity to declare her incontinency with Dolabella, to be the ground of quarrel between you and him. On this occaſion, your contempt of the ſenate, your unjuſt accuſation of Dolabella, your cruelty toward your uncle, the falſe, the ſcandalous aſperſions you caſt upon an unhappy woman, are all ſo daring and abandoned; that I am at a loſs to determine, which is the greateſt object of wonder and execration.

To return to the notes. What proofs did you produce? The ſenate's deſire of peace, had occaſioned the ratification of Ceſar's acts, ſuch I mean, as were really Ceſar's; not thoſe palmed upon them under that idea, by Antony. But, in regard to theſe notes. From whence came they? Who produced them? If they are ſpurious, why claimed? If true notes, why to be ſold? The ſenate ordered, that you, and your colleague, with certain other perſons, ſhould after the firſt of june, examine into the acts of Ceſar. And who did you aſſociate with yourſelf, for this purpoſe? What ſteps did you take? On what firſt day of june did you begin this work? Not I believe, on that firſt of june, in which you returned to Rome, with a numerous army, after making your tour

[da] NOTE XCVII.

through

through the veteran colonies. What a noble excurſion was made by the great Antony, in the months of april, and may! I mean to include your attempt of colonization at Capua. O! the glorious retreat from thence! I ſhould rather ſay, the truly glorious abode, you was near making there! You threatened that city with vengeance. Would to the Gods! you had not only nearly, but altogether made, the abode I mention!

To revert to your noble proceſſion. What diſpoſitions for the table! What proviſion for Bacchanalian ſacrifices! But, this was your own particular affair. Some other circumſtances attending that journey, we now lament. Your exempting the Campania from public taxes, upon a pretence of beſtowing thoſe lands on your followers; occaſioned a wound, that penetrated deep into the vitals of our conſtitution. But your convivial aſſociates, and brother gameſters, were the perſons who ſhared the ſpoil. Yes, Conſcript Fathers, with confuſion I relate, that players of both ſexes, were endowed with the Campanian lands. The Leontinian lands, are not worth mentioning after this; but the former, [db]the patrimony of the Roman people, were fertile and valuable. Your phyſician alſo, though the medical art itſelf could not have made you ſound, muſt have three thouſand acres; and what is ſtill more farcical, two thouſand to your rhetoric maſter; to make you, what nothing ever can make you, an orator.

But, let us now return to Italy, and to the ſubject of

[db] [DB] NOTE XCVIII.

your

your journey. You eſtabliſhed a colony at Caſilinum; where Ceſar had already ſettled one. By letters from Capua, you deſired me to inform you, whether you could legally ſettle a colony, where one had been previouſly eſtabliſhed. The eſtabliſhment of a new colony, where one formed by regular auſpices was ſtill exiſting, and in the vigor of its exiſtence; I denied to be lawful. I agreed however, that you might add new ſettlers to an old colony. But you, ſwoln with inſolence, and contemning every auſpicial power, eſtabliſhed your colony nevertheleſs, at Caſilinum; though one, of but few years ſtanding, was then in being. But this you did, to erect a ſtandard of defiance to the Capuans; and that your tillers, in the exerciſe of their huſbandry, might ſharpen their plough-ſhares againſt the city walls. And in this manner you tortured the flouriſhing colony of Capua.

HAVING thus violated, every ſacred right of the auſpices; your next attack was upon the eſtate of that juſt, that holy man Marcus Varro, at Caſſinates. Upon what ground? With what color of pretence? With the ſame, you may anſwer, that you ſeized the heirſhips of Lucius Rubrius, and Lucius Turſelius, and got the poſſeſſion of many other eſtates. If you ſhould ſay, you bought this eſtate at auction; I will admit the purchaſe. But to give validity to the purchaſe, Ceſar's notes muſt alſo have a legal operation. I ſpeak of thoſe notes for which you were Ceſar's debtor; not of thoſe, by which you cancelled your debt. But who ever heard that this eſtate of Varro's, was put up to ſale? Who, among you, ſaw the catalogue of conditions? Who can tell me, the name of the broker?

You

You ſay, you purchaſed Varro's eſtate from Ceſar, at Alexandria, by your agent. You were I ſuppoſe, too eager for the poſſeſſion, to wait Ceſar's return. But who ever heard that any part of Varro's fortune, and no man was more the object of public contemplation, had been ſeized, or eſcheated to the ſtate? But ſuppoſe I ſhould prove that Ceſar wrote to you, to reſtore the eſtate; what an unbounded effrontery muſt you poſſeſs? Order your ſoldiers Antony, to leave the place, and I will ſhew you, that not Ceſar's order for a ſale, but your temerity and aſſurance, gained you the poſſeſſion in queſtion. I will ſhew you likewiſe, that not only the original lord of this eſtate, but that his friend, his neighbor, his gueſt, nay his ſteward, ought to poſſeſs the whole, in preference of your title.

WHAT a diſgraceful abode of ſeveral days, did you make in Varro's villa? [dc]From nine o'clock, the reſt of the day was an unremitting ſcene of drinking, gaming, and vomiting. How unequal to the former lord! The very roofs indeed, deſerve our pity. But why do I call Antony, the lord of Caſſinates? His diſparity is, however, the ſame. In the hands of Marcus Varro, this houſe was the ſeat of virtue, and philoſophic inveſtigation; to libidinous amuſements it was a ſtranger. The diſcourſes, the reaſoning, the writings, which have iſſued from the former poſſeſſor of that houſe! The laws of the republic, the hiſtory of our anceſtors, and the principles of the liberal and abſtruſe ſciences were then treated, with unparalleled judg-

[dc] [DC] NOTE XCIX.

ment. But you becoming the inhabitant, I will not ſay the maſter of this houſe, nothing was heard but the voice of drunkenneſs and riot. The pavements, were deluged with the filth of intemperance; and the walls ſtained, with the ſame ſpecies of indecorum. There you might ſee youths of faſhion mixed with hireling pathics; and [dd]Roman matrons mingled in one common herd, with the vileſt proſtitutes. Viſitors from Aquinum, Caſſinum, and Interamna, came to attend you; [de]but you, were not viſible. In this, you did wiſely. An abandoned fellow, wearing enſigns of dignity, ſhould always be concealed.

In the journey to Rome, as this man approached Aquinum, a very populous city, vaſt numbers greeted him on the road; but he was concealed in a cloſe litter, the whole more like a proceſſion of the dead, than the living. Ye ſtupid, ill-judging Aquinatians! One circumſtance however, is in your favor; you were in the courſe of his rout. But what can be urged in excuſe of the Anagnians, who though entirely out of his courſe, came a conſiderable diſtance, and treated him with all the honors of a Conſul? Yet he did not honor them, with a ſingle return to all their ſalutes; though he had two natives of their city in his train, Muſtella and Laco: the one famous for his fencing, the other for his drinking.

Must I now relate the contumelious threats, he iſſued againſt the Sidicinians? The [df]Puteolians he haraſſed, merely becauſe they had taken Caſſius and the houſe of

[dd] [DD] NOTE C. [de] [DE] NOTE CI. [df] [DF] NOTE CII.

Brutus,

Brutus, for their patrons. This they did from principles of love, affection, and reſpect; not from compulſion and fear, as they adopted yourſelf, Baſilius, and others of the ſame eſtimation; whom no man would voluntarily take for clients, much leſs for patrons.

WHILE theſe events were agitated in your abſence from Rome, what a ſcene of glory devolved upon your colleague Dolabella; by razing the tomb of Ceſar, which you ſo venerated? Thoſe who were preſent ſay, that [dg] when you received the intelligence, you ſwooned. What enſued indeed, we are not told; but dread, and the particular dread of his arms, operated ſtrongly no doubt. However, you have brought him down from that high pinacle of glory, on which he formerly ſtood. And though, not yet deſcended to your own level; he no longer retains any part of the original Dolabella.

SHALL I venture to mention, your return to Rome? The conſternation, that ſeized us all? Cinna, in his plenitude of power; Sylla, domineering; Ceſar, ruling with deſpotic ſway: all, preſented themſelves to our view. They, had their attendants, and armed; but then, they were few, and made [dh] no diſplay of their arms. What a ſavage, fierce appearance, graced your return? Legions of armed ſoldiers followed you, and in force; while ſhields innumerable, carried upon litters, glittered before our eyes. We however, had been ſo much accuſtomed

[dg] [DG] NOTE CIII. [dh] [DH] NOTE CIV.

to tyranny, that we became inſenſible of its baneful appendages.

At length, when we ought to have appeared in the ſenate appointed for the kalends of june, ſudden fear ſeized us, and we all fled. Antony, who was no lover, but a deteſter of ſenates, rejoiced in our abſence; and began immediately, to contrive thoſe extraordinary projects, which he has ſince executed. He defended the validity of Ceſar's notes, from lucrative motives. But the moſt valuable laws of Ceſar, he annulled; becauſe they obſtructed his views upon your conſtitution. He [di]enlarged the time allotted by thoſe laws for the holding of provinces; yes, Conſcript Fathers, this very man, who ought upon every occaſion to have been the defender of Ceſar's acts, reſcinded them without reſerve, and equally in public, as in private concerns. Of a public nature, nothing can be more ſolemn than a law. Of a private nature, nothing ſo firmly binding as a will. Some laws he put in execution, without the previous form of promulgation; while ſome were promulged, merely that others alſo promulged, might be thereby abrogated. A will, formally executed, he invalidated; whereas, the [dk]validity of wills had ever been allowed, to the meaneſt ſubjects of the republic. The ſtatues and pictures, a legacy from Ceſar to the Roman people, he appropriated to himſelf: diſpoſing ſome, in Pompey's gardens; the remainder, in Scipio's villa. The gardens, alſo bequeathed to us by Ceſar, he entered upon for his own uſe.

[di] [DI] NOTE CV.

[dk] [DK] NOTE CVI.

You

You Antony, pretend to worſhip the memory of Ceſar. You pretend alſo, to love him in the cold arms of death? In life, could he enjoy greater honors? He had his ſhrine, his image, his pavillion, and his prieſt. What would you more? As Jove, as Mars, and Romulus, have each a prieſt; Mark Antony perhaps, would eſtabliſh a prieſt of the Ceſarian order, and nominate himſelf? Well Sir, and why do you not proceed upon this idea? Why are you not inaugurated to the prieſthood? Fix your day; appoint an inaugurator. We are brother colleagues in the Augurate; you cannot be refuſed. O ſcum of mankind! whether as prieſt to a tyrant, or to a clay-cold corſe!

The next queſtion I would aſk is, whether you know what ſolemnities are annexed to this day? If you remember, that four days of the Circenſean games are expired? That this is the fifth, and by you made ſolemn to the manes of Ceſar? Why then are we here unrobed? Why are honors decreed by you to Ceſar, to be neglected? Or perhaps, though you have not ſcrupled to contaminate a day, by naming it for the purpoſe of Ceſar's apotheoſis; you are however, afraid to produce the ſhrines, and emblems of thoſe honors? Antony, give Ceſar every honor, or none.[41]

This may lead you to aſk, if I approve of a ſhrine, a pavillion, and a prieſt. I reject them all. But you Sir, who are ſuch a defender of Ceſar's acts; why, while you

[41] [DL] NOTE CVII.

enforce

enforce ſome, are you ſo inattentive to others? Shall I conſtrue this, to be a tacit confeſſion, that in all things your advantage, and not Ceſar's honor, is the ſpring of action? I lay my account, in a moſt rhetorical reply. Your grandfather was indeed, a man of great eloquence; but [dm] not ſo open in his diſcourſes, nor were his harangues ſo naked as your's. For you, if you do not diſcover the ſecrets of your breaſt; bare it to us at leaſt. What, no anſwer? Will you not deign one word? Is there not one charge, upon which you have the confidence to try an anſwer? For pity's ſake then, I will ſay no more of paſt tranſactions. But tell me, Antony, why on this day, this particular day, at the very moment I am ſpeaking, an armed force ſurrounds the ſenate; and afterward, defend that circumſtance if you can? Tell me alſo, why your guards with ſwords in their hands, compoſe a part of this audience? Wherefore, is the Temple of Concord ſhut? Why crouded the forum, with your Ityrean archers? A ſpecies of men, barbarous beyond all others, and prepared with their quivers? You, I know, anſwer all with theſe two words: "Self-preſervation."

Now tell me, Antony, who would not rather ſuffer death a thouſand times, than be unable in his own native city, to ſecure life without a conſtant guard of armed men? But you will ſoon diſcover, the fallaciouſneſs of that ſecurity. The love and affection of your fellow-citizens, not your arms, you will ſoon perceive to be your only real ſafeguard. Your arms, the Roman people will,

[dm] [DM] NOTE CVIII.

and

and ſpeedily I hope, wreſt from your hands. But whatever may be our fate; your preſent enemies will, if continued, ſoon bring your power to an end. Your [dn] inſatiate little wife, I hope what I am going to ſay will not be conſidered diſreſpectful to the lady, has already done us two ſignal inſtances of ſervice; but ſhe owes us a third, and we expect this, at her hands. The Roman people are not without leaders who can ſerve the cauſe of Rome; and theſe, into whatever regions diſperſed, may be juſtly ſtiled the defence of the republic. But the Roman people, though in ſome meaſure avenged of their wrongs, have not yet recovered their loſt honor. The republic nevertheleſs, has a race of youthful heroes, ready to ſtand forth in its defence. And though abſent from prudential motives, the republic's mandate will ſpeedily reproduce them.

SWEET is the ſound of peace; and peace itſelf, invaluable. But, peace and ſlavery, differ moſt eſſentially. Peace, is liberty undiſturbed. Slavery, the worſt of evils; and ſhould be repelled, not only with arms, but at the expence of life itſelf. And though our deliverers are no more; the remembrance of their acts, can never die. Their deeds are beyond example. Brutus drove Tarquin from the throne, at a time when monarchy was the conſtitutional government. [do] Spurius Caſſius, Melius, Marcus Manlius, all ſuffered death from the bare preſumption of affecting regal power. But the tyrant deſtroyed by our great reſtorers, was in the actual exerciſe of a regal

[dn] [DN] NOTE CIX.

[do] [DO] NOTE CX.

power,

power, eſtabliſhed by uſurpation. So noble, ſo divine an action, is an unceaſing ſtimulus to imitation; and when conſidered with its conſequences, all Heaven ſeems too circumſcribed to contain the glory of the act. Though the conſciouſneſs of a great deed, is a noble reward for the labor; yet the perpetrator, may juſtly look for his ultimate reward, in an immortal name.

RECAL to view, Mark Antony, the Dictatorſhip ſuppreſſed. Remember the joy diffuſed among the ſenate and the people, upon that truly glorious occaſion. Contraſt theſe circumſtances, with the ſordid conduct ſince perſued by you, and your adherents; and weigh the difference, between worthy and baſe actions. But alas! as in certain diſeaſes of the body, or a ſtupefaction of the ſenſes, all diſtinction of taſte is loſt; ſo in libidinous, rapacious, abandoned men, the reliſh of true praiſe is extinguiſhed. If however, a laudable ambition is wanting, to allure you to the ſide of virtue; has the dread of vengeance no influence, to draw you from the perſuit of infamy? Public juſtice, you pretend to defy. If conſcious innocence bore you up in this, the principle would be laudable; but if a conſciouſneſs of power ſhould be the ground, let me tell you, that thoſe who ſet the laws at defiance, are wanting in a very neceſſary fear. And do you contemn the reſentment of the braveſt and the worthieſt men of Rome, becauſe you are environed with guards? Believe me, Antony, thoſe very guards will ſoon manifeſt a reverſe diſpoſition.

CAN life then, be worth poſſeſſing, to fear the privation

vation each moment, by the hands of thoſe who ſurround us? And unleſs you have been able to bind, with firmer obligations than Ceſar could, you have every thing to fear, in that reſpect. But in what one inſtance, will a compariſon hold between you? Wit, genius, learning, penetration, deep reflection, unwearied aſſiduity, and a fine memory, were the [dp] characteriſtics of Ceſar. And though he waged a pernicious and fatal war againſt the republic; yet, in every ſtage of that war, he ſhone A HERO. His plan of reigning, was deep and permanent. By incredible labor, and through almoſt inſuperable difficulties, he executed that plan. By acts of munificence, and public works; by royal largeſſes, and with ſplendid entertainments; he ſoothed, and gained the unthinking multitude. By preſents, and a pretended moderation, he allured his adverſaries to his purpoſes. And what is ſtill more, he brought us, partly by our fears, partly by his moderation, to bear the yoke of ſervitude without repining. The love of dominion, was indeed, congenial in both; but in no other inſtance, did the leaſt reſemblance appear. Among the many evils Ceſar brought upon the republic; one good however, reſulted from his government. He taught the nation, what degree of faith ought to be imputed to any man; he ſhewed us alſo, in whom the public might confide, and whom they ought to ſhun. And cannot you ſee the application of this knowledge? Does not the conduct of the braveſt men tell you, that "To kill a tyrant is an act beauteous in "itſelf; replete with advantage to a people; and, moſt

[dp] [DP] NOTE CXI.

" honorable for the ſtate?" Can you then ſuppoſe, that ſuch men ſhould deſtroy a Ceſar, yet cheriſh an Antony?

EVERY circumſtance now ſeems to conſpire your ruin. The great axe will ſoon fall heavy upon you. Yet look back, Mark Antony, upon your forlorn country. Turn aſide, but for a moment, from your aſſociates; and reflect upon your anceſtry. Return to my friendſhip, or not, as you pleaſe; but, in all events, return to the favor of the republic. On behalf of myſelf, I will ſay: In my youth I boldly defended my country, and in old age, I certainly ſhall not change my principles. I, who ſpurned the power of a Catiline, ſhall never I believe, fear your greateſt efforts. My poor, weak body, I ſhould willingly offer; if by ſuch an inconſiderable ſacrifice, the liberties of my country could be ſtrengthned, and the people freed from thoſe oppreſſions they have ſo long endured. Twenty years have elapſed, ſince, in this very temple I denied, that any death could be untimely to a Conſul; and now, that I am ſo far gone in the vale of life, you will not ſuſpect me of retracting that opinion. Death, to me, be aſſured, Conſcript Fathers, is now a wiſhed event; now that I have performed every duty of a Roman citizen, through each ſtage and rank of life. Two circumſtances however, I wiſh, in death. To leave my country free, than which, nothing the Gods could here beſtow would be more grateful: And finally, that every man might experience, juſt what he merits from his country.[dq]

[dq] [DQ] NOTE CXII.

MARCUS CLAUDIUS

MARCELLUS.

ORATION.

ARGUMENT

OF THE

ORATION

IN FAVOR OF

MARCUS CLAUDIUS MARCELLUS.

MARCUS CLAUDIUS MARCELLUS, was a Roman of Conſular rank, and no leſs diſtinguiſhed by his genius and erudition. In the civil conteſts between Ceſar and Pompey, he ranged his intereſts on the ſide of Pompey, and exerciſed a command under him at the battle of Pharſalia. Not being particularly attached to the cauſe of either party, he neither cloſed with the conciliatory terms held out by Ceſar, nor continued in arms againſt him, but retired from the Roman territories to the Iſland of Mitylene. There he paſſed his time in ſocial and literary enjoyments, apparently ſatisfied with his ſituation.

THE friends of Marcellus however, anxious for his reſtoration to Rome, moved the Senate to intercede for that purpoſe. The Senate, which ardently deſired his return, readily engaged in an application to Julius Ceſar, whoſe

whoſe conſtant courſe of clemency, juſtified the Senators in their moſt ſanguine expectations, of a favorable iſſue to their requeſt.

But Ceſar had recently received information of ſome proceedings at Mitylene, which rendered the neutrality of Marcellus very ſuſpicious. That information was corroborated by the diſpoſition of Marcellus, which Ceſar knew to be neither favorable to himſelf, nor to his adminiſtration. The Senate nevertheleſs, perſevered in the application, and unanimouſly ſolicited the reſtoration of Marcellus.

Cesar's embarraſſment upon this occaſion we may eaſily conceive, was proportioned to his own magnanimity and the dignity of the ſupplicants. Common policy, undoubtedly dictated a refuſal. But the Senate requeſted, and Ceſar's ſoul was ſuperior to jealouſy, or fear. The conflict between his intereſt and his feelings, burſt forth in this anſwer to the Senate: "Marcellus is, as he has ever been, my determined enemy. At "this moment he is planning my deſtruction. But I cannot refuſe, even "his recal, to your ſolicitations."

The Senate manifeſted their gratitude and thanks, in the moſt reſpectful manner, both in their ſenatorial and perſonal capacities. To render the tribute ſtill more honorable and grateful, Cicero was appointed to make a public recognition of the benefit. Thence was produced the following oration, or panegyric, in honor of that truly merciful and illuſtrious Dictator; delivered by Cicero, in the year ſeven hundred and ſeven of Rome, and the ſixty-firſt of his own age.

ORATION

ORATION

IN FAVOR OF

MARCUS CLAUDIUS

MARCELLUS.

ADDRESSED TO THE SENATE, AND TO CAIUS JULIUS CESAR.

THE long ſilence, Conſcript Fathers, I have been conſtrained to obſerve, occaſioned partly by grief, and partly by a conſcious regard for the ſituation of my country, but in no wiſe influenced by fear, terminates this day. In this, the day of my re-initiation, you will perceive that I return to you with the ſame independence of mind, the ſame freedom of utterance, that I departed. How indeed, could I contemplate, ſuch unlimited power accompanied with extreme moderation, ſuch extraordinary, ſuch unparalleled clemency, exerciſed with a diſcrimination and judgment ſurpaſſing human intellect, and ſtill remain ſilent? In the reſtoration of Marcus Marcellus to the ſenate and conſtitution of Rome, in the re-

[A] NOTE I.

intro-

introduction of his eloquence and authority; I feel my own, revived and perpetuated.

INEXPRESSIBLE were my ſorrow and concern, that a man with whom I had been united in intereſt, ſhould be ſo ſevered in fortune. My reaſon could ſcarcely yield, nor my ideas of juſtice agree, to the reſumption of my accuſtomed perſuits, while torn from my friend and aſſociate, from the agreeable, the emulous rival of my ſtudies. But you, Caius Ceſar, have removed the veil which obſcured, which excluded the delightful intercourſe of my former days. And at the ſame time, you have eſtabliſhed before the ſenate, an unerring token of every future good to the republic.

MANY circumſtances, particularly thoſe which occurred in my own caſe, induced me to believe, that your regard for the honor of the ſenate and the dignity of the republic, had ſuperſeded and diſperſed every private ſuſpicion or reſentment. But now by your reſtoring Marcus Marcellus to the ſenate and his country, after having noted his offences, I am confirmed in that belief. Thus, by the interpoſition of the ſenate, and your powerful and noble concurrence, Marcus Marcellus this day receives, an ample recompence for all the former ſervices of his life. Hence, even Ceſar may learn, the godlike reſult of conferring a benefit; ſince the acceptance alone, is in ſome inſtances, glorious. Happy indeed the man, whoſe advancement is not leſs grateful to mankind, than to himſelf! And whoſe claim to that deſcription, is preferable to Marcellus'? Whoſe deſcent more illuſtrious? Where is the man more diſtin-

diſtinguiſhed for integrity, more devoted to ſcience, of purer morals, more juſtly celebrated for virtue and every ſpecies of merit, than Marcellus? Though the tranſcendent ſuperiority of your genius ſtands confeſt; though your powers of elocution and diction, in reſpect both of force and copiouſneſs, no man ever yet attained; I mean not to recite your panegyric, but to relate the facts; ſtill I muſt ſay, and I preſume upon your pardon in aſſerting, that the glory you have acquired this day, no other event of your life can excel.

How often have I contemplated, and with what tranſport have I declared, that the actions of our former commanders, of foreign and even the moſt populous nations, of the moſt renowned princes, bore no compariſon with your acquiſitions: Whether conſidered in the greatneſs of the contended object, the number of battles, the extent and rapidity of conqueſt, or in the diſadvantages under which you conquered? You have ſubdued countries of ſuch extent and remoteneſs, with ſuch expedition, ſuch velocity, that a traveller could ſcarcely have paſſed with equal rapidity. I ſhould indeed, be conſidered as a man bereft of reaſon not to confeſs, that theſe are acts, which even judgment and reflection can with difficulty credit; nevertheleſs, acts of ſtill greater moment performed by you, remain untold.

And here let me obſerve, that military atchievements are often extenuated in the relation. Leſt too great a portion of glory ſhould devolve upon the leader, his troops are introduced to a participation of every ſucceſsful event.

Nor can we deny that in war, the bravery of the troops, advantageous ſituations, co-operating allies, convoys by ſea and land; all conduce extremely, to the ſucceſs of an enterprize. Beſide, in every ſimilar event, fortune alſo aſſumes an agency; and when the day proves eminently ſucceſsful, aſcribes to her own influence, the greater ſhare of the glory. The honor of reſtoring Marcellus to Rome, however, is your's alone. Whatever glory reſults from that act, and no act can be more truly glorious, centers in your ſole exaltation. Here, no general, no ſubordinate officer, no regiment, no troop, no particular body of troops, can inſinuate the ſmalleſt pretence to participate with you. Even Fortune, that ſo arogantly domineers in almoſt every other concern of mankind, in this, waves every claim. Fortune here, to you yields every honor; confeſſes the glory to be your's; and due only to your magnanimity. How indeed, ſhould raſhneſs mingle with wiſdom; or chance co-operate with judgment?

We confeſs, that nations, barbarous beyond example, innumerably populous, of infinite extent, abounding in every preparation of war, you have conquered and ſubdued. That obſtacles of nature and ſituation apparently inſurmountable, have yielded to your victorious arms. Still, there exiſts no force ſo great, no army ſo numerous, that may not be conquered by the power of the ſword and ſuperior bravery. But, to repreſs anger and ſubdue the various paſſions of the mind; to render juſtice to virtue, valor, and nobility, in the very moment, in the career of victory; to raiſe, and even aggrandize the proſtrate foe; are acts of ſuch exaltation and glory, that I ſhould debaſe the

the victor by a compariſon with the greateſt of men: He appears a God. Yes ſuch, O Ceſar! are thy virtues, and the renown of thy arms; that the orator's theme, and the hiſtorian's record, not only of this, and every other nation, but of this, and every ſucceeding age; ſhall glory in celebrating and diffuſing, the praiſes due to thy name.

THESE glorious qualities however, from what cauſe I am ignorant, yet theſe, whether tranſcribed or recited, come always accompanied with the clangor of trumpets, and the ſhouts of the military. But, when an act of peculiar wiſdom, clemency, gentleneſs, juſtneſs and moderation, iſſues at the moment that the mind muſt neceſſarily be under a general influence of vindictiveneſs, the immediate enemy of reflection, and in a courſe of victory, which naturally renders a man inſolent and diſdainful; when, I ſay, we read or hear of ſuch an act, whether fabulous or true, performed under theſe circumſtances; how exquiſitely are we affected by the bare relation, and what a paſſion do we entertain for thoſe, whom perhaps we never beheld? But you, with whoſe preſence we are bleſt; whoſe mind, whoſe countenance, whoſe feelings we perceive; you, who have ſo glorioufly preſerved to your country, the ſole relict of the hard fortune of war; what terms are adequate to the celebration of your praiſes? With what affection muſt we behold, with what tenderneſs eſteem your perſon?

BY HEAVEN! to me, the walls of this court ſeem conſcious; to me, they ſeem to hail you with ſigns of gratu-

lation; to indicate a ſpeedy reſtoration of the ancient dignity, the plenary authority, of this auguſt aſſembly. Alas! when I beheld the pious, the virtuous, the excellent Caius Marcellus, in tears at your feet; my heart was ſtruck with the remembrance of all the great men deſcended from that noble houſe. But you, Caius Ceſar, by one ſingle act, the reſtoration of Marcus Marcellus, have reſtored dignity and honor to the memory of all the deceaſed Marcelli; and at the ſame time ſnatched from extinction and oblivion, the illuſtrious race of that name. The glory therefore, of this day, ought in your eſtimation, to riſe ſuperior to all the great, the numerous, and the admired actions of your life; for this act was your own, peculiar to yourſelf, the glory undivided. Other incidents of your life, however high they may have exalted your fame, were performed in concert with legions of brave troops. But in this glorious deed, you were both the leader and the hoſt; all was atchieved by yourſelf. The trophies raiſed to your glory by this one action, time can never efface. Monumental remembrances of human fabrication, ſhall conſume with age, or diſappear through time; but the monument now raiſed as a tribute to your clemency and juſtice, ſhall flouriſh in eternal preſervation. As other monuments, erected in commemoration of your great and glorious acts, waſte and decay, this I ſay, ſhall proportionately flouriſh and increaſe.

We cannot but acknowledge, that amidſt all the horrors of a civil war, you have uniformly ſurpaſſed all other

[b] NOTE II.

con-

conquerors in the general exerciſe of clemency; but in this great and conſpicuous act of mercy and forgiveneſs, you riſe ſuperior to yourſelf. My conceptions upon this occaſion are ſo enobled and ſublime, that I am doubtful whether an adequate ſenſe is conveyed to your apprehenſions. However Ceſar, in my mind you triumph upon this occaſion, over victory itſelf: for you reſign to the vanquiſhed, the acquiſitions of your conqueſts. By the law of arms, and the rights of victory, we all periſhed; but by your diſtinguiſhed clemency, we are all preſerved. We therefore no longer wonder, that you ſhould be invincible; who have diſarmed even victory itſelf, of its baneful attributes.

Now, Conſcript Fathers, mark the extenſive operation of this great benefit. When through the inexplicable, but ſorrowful and fatal condition of our country, we were obliged to ſeek a reſource in arms, though we acted upon ſuch principles as might perhaps, reduce our fault to that of human error; ſtill there was a degree of guilt, from which however, we are now diſcharged. For, when Ceſar granted the reſtoration of Marcellus to your ſupplications; when unſolicited he abſolved, and rendered me again to my country; and when he reſtored the reſt of theſe noble perſons to the republic, and to their own rank and honors, a circumſtance from which the ſenate is this day beheld with ſuch dignity and ſplendor; do not ſuppoſe that he imagined himſelf then reſtoring the enemies of Rome. No, Ceſar wiſely judged, that our conduct in that war, proceeded from ignorance and ill-founded terrors, rather than from any vindictive or cruel motives.

In every period however, of that war, my wiſhes were, to negociate and accommodate between the parties. And much I grieved, to diſcover a rooted averſion toward peace; a contempt and rejection of every advance, that might lead to accommodation. Never was I found in arms, during the continuance of thoſe civil conteſts in the republic. My counſel and my thoughts, were ever turned to peace, and a ſocial termination of our differences; war and arms, my mind abhorred. A friend to the leader, yet unconnected with his cauſe, I followed his fortunes. I was indeed bound to him by the powerful ties of gratitude and fidelity; but actuated by no motives of ambition, no hopes of reward. Prudently, deliberately, voluntarily, and I may therefore ſay intrepidly, I joined his deſperate fortunes.

My counſels nevertheleſs, were always open and undiſguiſed. In the moſt proſperous ſituations, I repeatedly and uniformly adviſed him, to the adoption of pacific meaſures. At the hazard of my life were thoſe opinions delivered, in preſence of the ſenate. No man can judge ſo erroneouſly of Ceſar's conduct, to ſuppoſe he was not equally attached to ſentiments of accommodation; ſeeing, that he unheſitatingly preſerved the authors of peaceful meaſures, while he manifeſted his diſpleaſure toward thoſe of reverſe principles. Yet, Ceſar's diſpoſition for peace, at a time when the event of the war was uncertain, and the ſucceſs of his enterprize exceedingly doubtful, does not ſo ſtrongly determine his true character. But the man, who like Ceſar, in the career of victory could honorably diſtinguiſh the authors of peace; tacitly declares, that

that he had rather have remained without the glory of conqueſt, than obtained it by blood.

In pacific counſels, I can alſo teſtify that Marcus Marcellus was ever conſentaneous with myſelf; that in every debate upon peace or war, our ſentiments were congenial. How often indeed, and under what agitations of grief have I beheld, the concern with which he contemplated the inſolence of particular men, and the fatal effects that might enſue from their victories? Your clemency therefore, O Ceſar! muſt of conſequence be more ſenſibly felt by us, who were witneſſes of theſe tranſactions. Not that I now mean to draw a parallel between the cauſes, but between the effects of your, and Pompey's victories. We are witneſſes that your victories terminated in the field; and that the city of Rome never beheld the ſword of war unſheathed in your hands. The citizens who did fall, encountered no more than the common fate of battle. Not a ſingle victim, was ſacrificed to the rage of victory. Thence we may juſtly conclude, that Ceſar wiſhes, even thoſe who periſhed by the caſual events of war, could be reſtored to their country. Ceſar's ſubſequent conduct has indeed confirmed this opinion; for no man has ſuffered, whom Ceſar could protect.

Of the oppoſite party, I ſhall obſerve merely, that all men trembled for the conſequences of their ſucceſs. The quiet and inactive citizen was menaced equally, with the ſoldier and the oppoſing enemy. And the general language of their party, was indiſcriminate deſtruction. But the

the immortal Gods, who appear to have urged the Roman people into a calamitous and fatal war, expreſsly to puniſh them for ſome dire offence, now ſeem either appeaſed or ſatisfied. They have left Ceſar the arbiter of your fate; and referred your ſolicitations for pardon, to the clemency of your conqueror.

How ſupremely happy, Ceſar, muſt you feel, in being the object of ſuch a divine delegation. A delegation ſo congenial with your principles and diſpoſition, you cannot fail to exerciſe with glory and ſucceſs. A wiſe and judicious man, cannot indeed, feel a ſituation of greater joy and exaltation. And when Ceſar ſhall revolve in his mind, the great atchievements of his life, he will find much to be due, ſolely to his own bravery and conduct; yet ſtill more, to his peculiar good fortune. But, in thoſe moments when his thoughts are turned upon us, whom he has thought proper to preſerve, in order to participate with himſelf the reſtoration of the republic; he will ſee his conduct reflected in a ſeries of the greateſt benefits, of the moſt extenſive liberality, conferred alſo with unparalleled judgment and diſcretion. In a ſeries of acts, which I will venture to ſay, muſt conſtitute not only the higheſt, but the ſole happineſs of his life. For, ſuch is the ſplendor of true praiſe, of magnanimity of ſoul, ſuch indeed the dignity of wiſdom; that theſe ſeem the genuine effuſion of virtue, and all other acquiſitions the mere fictions of fortune.

Relax not therefore, but perſevere in thoſe principles of clemency. Continue to watch over the lives of your fellow-

ſellow-citizens, of thoſe eſpecially, who actuated by no motive of ambition, no principle of depravity, but by a falſe idea of their duty, or a defect of judgment, embarked in oppoſition to your party. The ſlighteſt ſuſpicions entertained of your clemency, we now ſee were unjuſtly imbibed. And your glory is even augmented, by this opportunity of convincing mankind, that their fears were really groundleſs.

The heavy charge, and thoſe weighty ſuſpicions regarding your ſafety, which we, particularly thoſe who owe our lives to your bounty, are equally with yourſelf concerned in removing; are what I ſhall now take the liberty of mentioning. The charge I believe to be falſe, but I ſhall nevertheleſs, ſuppoſing its exiſtence, deſire leave for a few words of extenuation. In your caution, I know, conſiſts our ſecurity. And I am determined alſo, if I ſhould err in this point, that it might be through extreme caution, rather than from want of prudence. But, who is the man ſo devoid of reaſon, to prefer a charge of this nature? Is he numbered among your friends? And who more properly rank in that number, than thoſe you reſcued from an hopeleſs ſituation? Suppoſe the ſuſpected perſon to have been one of your followers? And can a man be found there, ſo depraved, not to eſtimate the life of his commander, and the promoter of his fortune, at a rate ſuperior to the value of his own exiſtence? But ſuppoſing your friends to be free from every ſuſpicion of that nature, we may be told that you ought to guard againſt your enemies. Your enemies; where are they to be found? All who were your

enemies, either fell victims to their own obſtinacy, or were preſerved by your clemency. Yes, Ceſar, your enemies we all know, either died in the field; or changed their opinions.

But ſince the principles of the mind are ſometimes reſerved, dark, and impenetrable, we ought to encourage your ſuſpicions, in order to awaken your circumſpection. For, who is there ſo ignorant, ſo totally uninformed, ſuch an abſolute ſtranger to the intereſts of the republic, and to his own perſonal advantage, not to know, that in your ſafety his own is immediately involved; and that upon your exiſtence, his own moſt immediately depends? When I reflect upon the value of your life, which is my practice day and night, I tremble to conſider the uncertainty of all natural events, and the frail tenure by which all ſublunary properties are held. How much I then lament; that the exiſtence of the republic, which ought to be immortal, ſhould depend entirely upon the life of one man. But, if to ſickneſs and other circumſtances incidental to the human conſtitution, the ſnares of treaſon ſhould be ſuperadded, we may ſafely aſſert, that a propitious God could not prevent, the diſſolution of the republic.

The injuries the republic has ſuſtained by the accidents of war, and the inevitable dilapidations of time, can now be repaired only by your arrangements. The reſtoration of government, the revival of public credit, the ſuppreſſion of licentiouſneſs, the repopulation of the country; in brief, the re-eſtabliſhment of every national property that has been ruined or diſplaced, can be

be effected only, by a firm and vigorous adminiſtration of the laws.

By the late internal and deſtructive war, and from the force of thoſe fierce and violent concuſſions which the republic has on all ſides received; the dignity of the empire has been impaired, and our firmeſt bulwarks weakened. By the neceſſities of war, the leaders of both parties were forced upon meaſures, which in a civil capacity both would ſtudiouſly have avoided. The bleeding wounds of your country therefore, you are now called upon to heal; yes, your's alone, is the miniſtring hand, capable of effectuating a perfect cure.

With what regret have I heard you declare, though the declaration manifeſted a truly heroic and philoſophic mind: "'That your life had been of ſufficient duration; "whether in reſpect of nature, or of glory." In reſpect of nature, I ſhall not contend. Nor perhaps, in regard to glory. But in reſpect of your country, the chief principle of life, certainly otherwiſe. Ceaſe therefore, I beſeech you, to cheriſh the principles of thoſe rigid philoſophers, in ſuch an abſolute contempt of death. Reject, I intreat you, every doctrine that affects the ſafety of your country.

You have alſo been frequently heard to declare: "That "you had lived ſufficiently for yourſelf!" Perhaps you might be juſtified in ſuch a declaration, if you lived for yourſelf alone; had been born for no collateral purpoſes.

' [C] NOTE III.

But now, the exiſtence of the republic is entwined about your own; and ſo far from having accompliſhed your great deſigns in favor of the Roman people, you have ſcarcely yet laid their foundation. By ſuch principles therefore, you ſacrifice your patriotiſm to a ſpeculative philoſophy.

I MUCH doubt however, whether you have lived ſufficiently for the purpoſes of glory; for, notwithſtanding your philoſophy, ambition is, and you cannot deny the fact, the governing paſſion of your ſoul. I can hear you, with indignation ſay: "Have I not lived ſufficiently for glory?" For any other man you have; but not for Ceſar. That which appears of infinite magnitude, is diminiſhed in idea, when compared with what is greater. But after ſuch a ſeries of glorious actions, after having ſubdued all your enemies; are thoſe actions to terminate in a renunciation of life, at a period when the republic is involved in the greateſt diſtreſſes? In that caſe beware, O Ceſar! that your divine virtues, excite not admiration rather than glory; and true glory, permit me to ſay, is the illuſtrious harbinger, the real herald of the great and diffuſive actions of every ſpecies of deſert, whether of a private or a public nature.

BUT the plot of your life I muſt now tell you, is not yet ſufficiently cloſed. A material ſcene remains unperformed. The buſineſs I ſay, is not yet ripe for the cataſtrophe. You muſt eſtabliſh the republic in a ſtate of ſecurity and eaſe, before you can with reputation, cloſe the piece. When you have well performed that part, and nature is alſo ſatisfied with your retiring; then you may perhaps

perhaps be permitted to ſay: "Life has been of ſuffi-
"cient duration."

YET, even then, ſtrong objections will ariſe againſt this declaration. Is life to be contemned, becauſe the faculties of enjoyment are diminiſhed? Are the traces of reflection, the recollection of paſt joys, incapable of furniſhing pleaſures that compenſate the trouble of exiſtence? Your great ſoul, I know, was ever indignant of life, when attended by any of thoſe evils which ſome men muſt feel, being inſeparably annexed to our nature; yes, your great ſoul, I know, has ever languiſhed for immortality. Your life is not the mere reſult of form and ſpirit, mechanically agitated. You can only live in a glorious immortality, in an unbounded fame cheriſhed by all ages, and tranſmitted under the faithful guardianſhip of eternity. To that end all your actions are directed, all your views extended. Long indeed, have thoſe actions been the ſubject of admiration; let them now ſhine with leſs ſplendor, but more genially.

[d]POSTERITY, I am convinced, will contemplate your atchievements with amazement. Your extenſive commands, your conqueſts, the Rhine, the Ocean, and the Nile; innumerable battles, incredible victories, your trophies, largeſſes, triumphs, and imperial attributes; will all, no doubt, aſtoniſh the world. Nevertheleſs, except by your counſels and inſtitutions, you eſtabliſh the ſecurity and happineſs of Rome upon a laſting baſis; your fame,

[d] [D] NOTE IV.

though

though it may wander through every part of the univerſe, will never flouriſh upon the ſolid and true principles of glory. Future ages like ourſelves, will no doubt, maintain various opinions. Some perhaps, dazzled with the ſplendor of your actions, will deify your memory. While others will think, that unleſs you had rectified the errors, and repaired the injuries, occaſioned by the civil war, you owe more to fate and good fortune, than to your own judgment.

ENTERTAIN then, a deference for the opinion of thoſe, who will ſit in judgment upon your actions many centuries hence; judges, much more impartial than ourſelves. As on the one ſide, they will judge without affection or inclination; ſo on the other, their opinions will be untinctured either with envy or diſguſt. Still, ſhould you be indifferent to theſe events as pertaining merely to your future exiſtence, for ſome perſons, unjuſtly no doubt, have aſſerted that you are; you cannot ſurely be unconcerned, at the tendency they muſt have to obſcure or extinguiſh your future glory.

IN the conteſts I have mentioned, the citizens of Rome were not only divided in principles and attachments; but in arms alſo, and in the field. Doubtful indeed, was the true line of conduct. The leaders on both ſides, were men of the moſt illuſtrious character. Numbers, totally uninfluenced, heſitated to which party they ſhould adhere. Some, conſidered the expediency of their own affairs: Others, what behoved them in point of decency. And a few, were influenced ſolely by the ſuppoſed juſtice and lawful-

lawfulneſs of their determinations. The republic however, at laſt, ſaw a concluſion of this miſerable and fatal war. Clemency and mildneſs, became victorious; and conqueſt crowned the man, who was beſt qualified to bear it with moderation. The man, who did not conſider even the exaſperating enemy, as an object of exile or death.

In this ſtate of the war, ſome ſurrendered their arms; others, were forcibly diſarmed. Unjuſt, and unworthy of conqueſt muſt that man be, who having ſubdued his enemy in the field, ſtill harbors reſentment againſt him in his breaſt. Much better for a man to fall by the ſword in the cauſe he embraced. What to ſome bears the mark of firmneſs, to others will appear pertinaciouſneſs. But, as all civil diſſentions are now cloſed; as they have either yielded to arms, or been diſperſed by the virtues of the conqueror; every man who has judgment, or a competent knowledge of his own intereſt, will unite and co-operate in the ſame principle. And unleſs you alſo, Ceſar, perſevere in the ſame ſentiments of mercy and juſtice, which you have hitherto ſo uniformly practiſed, and this day ſo glorioufly exerciſe, the republic muſt fall. All men therefore, who wiſh the preſervation of the republic, exhort and beſeech you, to entertain an eſpecial regard for the ſafety of your life. As you ſeem by your ſuſpicions to think precautions neceſſary, be aſſured, and here I anſwer for others in what I feel myſelf, we are ready to undertake the care of your ſafety. And we here promiſe, not only to guard you both day and night; but to oppoſe our own perſons, to ſtand with our bodies, as a firm ſhield between yourſelf and every danger.

THAT I may conclude with the ſame object I commenced; permit me to ſay, that the returns of gratitude and thankfulneſs, which we now offer, are great and ſincere; though ſtill greater remain. That we all entertain the ſame ſentiments, will be beſt known from our intreaties and our tears. But, as the ſentiments of the whole cannot be individually declared in words, to me is imparted the duty of expreſſing the general thanks, upon this great occaſion: — the reſtoration of Marcus Marcellus to his ſeat in your aſſembly, to the people of Rome, and to the protection of his country. And in the execution of this agreeable duty, I have the pleaſure to perceive, that the great and univerſal joy now prevailing, ſprings not ſo much from the preſervation of an individual, as from a ſenſe of the general good ariſing to the republic.

IN reſpect to myſelf; my affection, and the ſincerity of my eſteem for Marcus Marcellus, were circumſtances never ambiguous, nor equivocal. They were ſcarcely excelled in the love of his excellent and affectionate brother, Caius Marcellus; not yielding to that, they will certainly yield to no other. And, as every attention, every ſolicitude, and my utmoſt efforts were exerted, while the preſervation of my friend was doubtful; now that I am delivered from the grief, the anxiety, and the innumerable apprehenſions entertained upon his account; the ſincerity with which I offer my thanks for his ſafety, can neither appear problematical nor doubtful. For theſe reaſons, permit me, O Ceſar! now to render you the tribute of my own moſt ſincere

cere and grateful thanks, for the reſtoration of Marcus Marcellus. You had conferred ſuch obligations upon me, in the preſervation of my own life, and the reenjoyment of my former privileges; that I thought my gratitude incapable of augmentation. But, in this laſt act of generoſity, you have increaſed, EVEN CICERO'S OBLIGATIONS TO CESAR.[e]

[e] [E] NOTE V.

NOTES.

NOTES

OF THE

FIRST ORATION

AGAINST

CATILINE.

NOTE I. page 7. [A].

THE opening of the firſt oration againſt Catiline, has encountered the extremes of cenſure and applauſe. The boldneſs of the manner, and the exigency of the ſubject, ſeem however, to preſent an excuſe for the abruptneſs of the commencement. The addreſs being immediately made to Catiline, and not to the ſenators, though perhaps informal, is nevertheleſs, ſo ſingularly elegant and ſpirited, that a diſpenſation for irregularity, will be eaſily obtained. The addreſs to Catiline, is followed by ſome general reflections upon the ſubject of the conſpiracy; and then Cicero opens the buſineſs of the day. He proceeds alternately addreſſing the ſenate, and Catiline; and directs them to his own purpoſes with great ingenuity. Catiline, though fully acquainted with Cicero's intentions, thought proper to appear in his place. Cicero ſeems alſo to have prepared the ſenate for this attack upon Catiline; for we find Catiline in a manner

alone

alone in the midſt of a full ſenate. Every ſenator, even his relations and friends having retired as far as poſſible, from the place where he was ſeated. Thus ſingled, poſted as a mark by the ſenate itſelf; we may eaſily conclude, the adverſary would not neglect ſuch an opportunity of attacking.

THE dread inſpired by Cicero's name is no where more conſpicuouſly ſhewn, than in the univerſal diſguſt expreſſed toward Catiline at this meeting. Cotemporary authors, the event itſelf, and even Cicero's orations prove, that notwithſtanding this outward appearance of univerſal contempt, Catiline had many powerful friends. Not only in thoſe embarked with him immediately in the conſpiracy, but alſo in the ſenate; and that many of thoſe were then preſent. But the terror of Cicero's name, abetted by the Conſular powers, ſuppreſſed every ſentiment in favor, every attempt in aid of Catiline's deſigns.

THE plan of this conſpiracy was the moſt extenſively cruel, the moſt wantonly and impolitically barbarous, that human invention ever ſuggeſted. Cicero, whoſe information was always well founded, knew every project, the means of perſuit, and the ends propoſed by the conſpirators. Nothing could be more horrid and infernal. But, his proofs were not publicly authenticated, and could not then be adduced. We know, however, from Salluſt and others, that the conſpirators were many, their rank conſiderable, and their connexions numerous. How far thoſe connexions might be then engaged with Catiline, human wiſdom could not aſcertain. Cicero therefore, did not dare, to propoſe the immediate inveſtigation of their treaſon. To draw contempt and univerſal odium upon them, was the extremity of his perſuit, at that time. This, he concluded, would urge them to undertake ſome open act of violence, and to declare their principles. He had ſuch a powerful force poſted upon the city generally, and over the conſpirators in particular; that their hands

hands were fettered, their deſigns nipped in the bud, and all their ſchemes ſubverted as ſoon as formed. Their only reſource therefore, ſeemed in flight. To render that voluntary, was the object of this oration; and Cicero accordingly, urges the adoption of that idea to Catiline. The ſcheme ſucceeded, Catiline retired, and open rebellion was immediately declared. In leſs than two months, the conſpiracy was completely quelled, and the principal conſpirators executed.

The language is every where, nervous and dignified. Free from the groſſneſs of the Philippics, nevertheleſs, virulent and perſonal toward Catiline. Though the ſubject was entirely of a public nature, yet Cicero, according to his uſual method, introduces the hiſtory of his adverſary's life and morals. Whether, a ſuperfluity of gall in Cicero, or a diſpoſition in the Roman people to liſten more attentively to arguments ſeaſoned with ſlander and invective, than to any other; or that both theſe circumſtances together, occaſioned this practice, cannot now be eaſily aſcertained. Yet were we to pronounce from the Philippics only, the matter would not be difficult to decide.

Cicero was embarked in a cauſe, which required all his delicacy, penetration and influence, to manage. For, though the cauſe was juſt, and the failure, eternal ruin to the republic; yet the exertion of every power Cicero poſſeſſed was neceſſary, to impreſs the ſenate with a reliance on his information, or a concurrence in his opinions. The ſenators believed, that ſome ſchemes materially affecting the public were afloat; but they were not generally aware, of the extent and malignity of the conſpirators deſigns. Cicero therefore, to gain credit, and an aſſent to his proceedings; was obliged to court, to ſooth even Catiline, in ſome parts of this oration. And, he alſo found himſelf under the neceſſity of adopting lenient meaſures, till he was able to drive the enemy to an open declaration; or to pro-

duce

duce ſome flagrant and glaring evidence, of the whole procedure. That, at future periods, Cicero obtained. But, after that evidence was obtained, he was obliged to ſolicit, to implore, to deprecate, the ſteady protection of the ſenate and people, againſt the latent deſigns of diſappointed perſons. The ſenate and people did indeed, protect him at that juncture againſt his enemies, ſo far as the ſecurity of his life. But, a faction raiſed by Ceſar, and managed by Clodius the tribune; attacked Cicero, ſoon after the expiration of his own Conſulate. The illegal execution of Lentulus and Cethegus, was the crime alledged. And Cicero's former popularity, the evident juſtice of that procedure, the public favor, for which he had ſo often bargained; all together, were unable to protect him againſt a ſentence of interdiction, pronounced by the people. The devotees of ancient polity, who aſſert the ſuperior excellency of the Roman conſtitution, beyond every other, muſt reprobate this incident. The annals, not only of Great Britain but of every nation of Europe, might be ſearched, and in vain, to find an inſtance of ſuch a return TO THE SAVIOR OF HIS COUNTRY.

NOTE II. p. 7. [B].

A Citadel was erected on the Palatine hill, which, from its ſituation, might be called the Tower of Rome. The principal uſe of this fortreſs was to check inſurrections of the people. Upon the leaſt appearance of a tumult, the ordinary guard was inſtantly augmented by a numerous force. This was often uſed, no doubt, as a convenience to the Conſul's views; but the danger in the preſent caſe, well juſtified the alarm. Upon the firſt rumor of Catiline's conſpiracy, the ſenate ordered the people to be under arms during night; and commanded by the inferior magiſtrates. The ſenate upon that occaſion, was aſſembled in the temple of Jupiter Stator. This was an edifice at the entrance of the *via ſacra*, which led directly to the Palatine hill.

NOTE

NOTE III. p. 8. [C].

TIBERIUS GRACCHUS, by largeſſes of corn in times of ſcarcity, and other generous acts, was ſuſpected of popular deſigns deſtructive to the republic; and killed by Publius Scipio Naſica. See Milo. Note IX.

NOTE IV. p. 8. [D].

SPURIUS MELIUS was killed upon a pretence of affecting royalty. See Milo. Note IX.

NOTE V. p. 9. [E].

CICERO here means, that unlimited power, uſually granted by the ſenate in caſes of danger; and now delegated to Cicero and his colleague. *Ne quid reſpublica detrimenti caperet.* By which authority they were enabled to levy forces, exerciſe the higheſt powers of juſtice, and in fact inveſted, with the ſupreme command of every department of government. This power, which in caſes of ſudden danger, could conſtitutionally come from the people only, was however, in the preſent caſe, the reſolve of the ſenate.

NOTE VI. p. 9. [F].

CAIUS, the brother of Tiberius Gracchus mentioned in Note III. perſuing his deceaſed brother's plans, particularly the plan of perfecting the Agrarian law, met with a ſimilar fate. He was killed by the Conſul Opimius, on the Aventinian mount, in the year ſix hundred and thirty-one, U. C. Marcus Fulvius, being *particeps criminis* with Caius Gracchus, fell in the ſame conflict with him.

NOTE VII. p. 9. [G].

LUCIUS SATURNINUS and Caius Servilius, having ſlain a ſenator, were declared enemies of the ſtate by the ſenate. They had recourſe to arms for their defence. Caius Marius, in his ſixth Conſulate, then inveſted with the Dictatorſhip, attacked their forces, and routed them. They ſurrendered, and were afterward both killed by the people.

NOTE VIII. p. 13. [H].

CAIUS MANLIUS, was to command in Feſula; Septimus, in the marches of Ancona; and, Caius Julius, in Apulia. Catiline propoſed that Lentulus and Caſſius ſhould direct the burning of the city; while Cethegus ſuperintended the ſlaughter of the inhabitants. The city was marked out for burning in twelve diviſions; and Statilius and Gabinius were to attend to a regular method of ſpreading the conflagration.

NOTE IX. p. 13. [I].

THE fidelity, and efficiency of Cicero's ſpies, not only upon this, but upon every political occaſion, demonſtrate more ſtrongly than any other part of his proceedings; the ſagacity with which he choſe, and the ingenious manner of ſtationing his emiſſaries. Their courſe of communication to him in conſequence, was dextrous and rapid; and ſcarcely ever interrupted.

NOTE X. p. 14. [K].

JUPITER, was not only the tutelar deity of Rome, but the ſenate were then aſſembled in the temple, dedicated to that deity by the name of JUPITER STATOR. STATOR, was an addition given to the God, for a ſignal interpoſition. The Romans under Romulus, being put to flight by the Sabines; he invoked the

the aid of Jupiter to ſtop their flight. Jupiter acquieſcing, Romulus honored him with the addition of STATOR, or, THE STAYER. A ſtatue of that God, in his STATORIAL capacity, was ſoon after erected; of which in a ſubſequent place, Cicero avails himſelf moſt materially.

NOTE XI. p. 14. [L].

THE interval between an election to the Conſulate, and entrance upon the office, was a ſpace of ſix months, during which, the Conſuls were called *Conſules deſignati*. Catiline was a candidate againſt Cicero; and ſtood again at the ſubſequent election, in the Conſulate of Cicero. Upon both occaſions Catiline ſought the life of Cicero; becauſe, in the firſt inſtance, Cicero oppoſed him for the office, and in the other, aſſiſted thoſe who did oppoſe him.

CICERO boaſts exceedingly, of his courage and patriotiſm, in defending himſelf againſt public attacks by private aſſiſtance only. Cicero did not dare to uſe the public force, on occaſions that regarded his own concerns merely. The jealouſy of the Romans was prone to riſe on the leaſt occaſion of that ſort; and, dangerous to provoke. Nor would the people ſuffer that force to be drawn out, but for a public, and an obvious cauſe.

CICERO, therefore, made the beſt uſe of his private connexions. He procured numbers of his friends; and commanded his clients, to appear in armour at the elections. This ſtrong ſymptom of danger, had its effect on the people; and drew over an infinite majority, to protect him on thoſe, as well as on all other public occaſions. But his accuſing himſelf of a ſort of diſloyalty to the republic, in defending his life, is very extraordinary. The riſks he pretends to have encountered were entirely his own affair; and nothing more than a defence againſt the attacks of his perſonal opponents. Had they been of any other kind; how can a man

either aſcribe merit, or take reproach to himſelf, for defending his own life, in any circumſtances whatever?

How artfully Cicero in a ſubſequent paſſage, ſooths Catiline! Recommends, and adviſes what was his own intereſt, and deſign to effect! The tranſition to abuſe, however, is inſtantaneous; but managed with equal dexterity and addreſs. What an extenſive uſe he makes of Catiline's cold reception in the ſenate-houſe? He infers, that the diſguſt and contempt ſhewn Catiline there, ariſes as well from the general profligacy of his manners, as the evil deſigns in which he was at that juncture engaged. And to prove how great and well founded, that abhorrence was, Cicero introduces a catalogue of his adverſary's vices; or rather, an epitome of his whole life and conduct.

NOTE XII. p. 16. [M].

CATILINE allured great numbers of youth, at a very early age, to his ſociety and protection. He ſupplied them with money; put them out of a ſtate of dependence on their parents; initiated them into every ſpecies of infamy, having firſt rendered them ſubſervient to his own paſſions; and ultimately, ſo corrupted their minds, ſo alienated them from every worthy purſuit, that they were attached to nothing but himſelf, and his projects.

CATILINE, according to Salluſt, Plutarch, and Aſconius, killed his brother, and his ſon by a former wife, to make a clear houſe for Aurelia Oreſtilla: *Novis nuptiis, domum vacuam feciſſet.* He debauched his natural daughter, violated a veſtal maid, and was the terror of female virtue, wherever he appeared.

NOTE

NOTE XIII. p. 16. [N]

THE ides, the thirteenth of november, was the day of general diſcharge, of debtor to creditor. Cicero knew the debts of Catiline to be immenſe; and Catiline without the ſmalleſt means of payment. Proſcription of effects, was by law, the conſequence of non-payment of debts at theſe ides, if the creditor perſued. And Cicero would doubtleſs, urge ſuch of the creditors as he could influence, to perſue their claims with rigor againſt Catiline. He might, therefore, well prognoſticate the ides of the current month, to be big with ruin to the fortunes of the conſpirators; and of Catiline, in particular.

NOTE XIV. p. 17. [O]

TO bear a weapon in any meeting of the comitium, in the forum, or the ſenate-houſe, was unlawful; and very highly puniſhable.

NOTE XV. p. 17. [P]

A CONSPIRACY to murder the Conſuls, and the principal patricians, was formed about three years before, in which Catiline engaged ſeveral perſons of great conſideration: but failed from ſome miſmanagement, or a defection of the parties. Craſſus, one engaged, did not attend; nor did Catiline give the ſignal, as agreed on by the faction. The execution of their purpoſe then ſtood over to the nones of february, but was again diſappointed.

NOTE XVI. p. 18. [Q]

THE knives uſed in ſlaying the holy victims, were conſecrated to pious uſes. At leaſt to uſe them for unſanctified purpoſes, was criminal and profane. Cicero inſinuates, that Catiline's dagger

dagger, like thoſe knives, was unalterably devoted to a particular uſe. But, with this difference, that the one was deſtined by the infernal, the other by the ſacred powers.

NOTE XVII. p. 19. [R].

CATILINE was a principal agent in carrying the proſcriptions of Sylla the Dictator, into execution. Several of the proſcribed perſons, he killed with his own hands; beſide many others, who ſtood in the way of his deſigns. After the death of Sylla he was tried for ſome of the crimes committed under his dictatorſhip; but by ſubornation of evidence, and other arts, acquitted. In the courſe of theſe tranſactions he attired to himſelf a number of infamous wretches; and at length became the common center of protection and refuge for villains of every denomination.

CATILINE's exerciſe of the Pretorſhip in Africa, was alſo a ſeries of extortion, plunder, and cruelty. At his return to Rome he was arraigned for theſe crimes, upon the accuſation of Publius Clodius, in the Conſulate of Cotta and Torquatus. His acquittal is generally imputed to the corruption of his judges; whom, he is ſuppoſed to have ſoftened with conſiderable bribes.

NOTE XVIII. p. 20. [S].

COMMENTATORS have juſtly remarked, the abſurd concluſions drawn by Cicero, from Catiline's eagerneſs to ſurrender himſelf. Cicero's words are, " *Sed quam longè videtur à* " *carcere, atque à vinculis abeſſe debere, qui ſeipſum jam dignum cuſ-* " *todia judicaverit?*" Can any concluſion be more falſe or unjuſt? If any inference is to be drawn from a man charged with a crime of great turpitude, deſiring to ſurrender himſelf; the innocence and not the guilt of the party, ſeems the proper inference.

NOTE

NOTE XIX. p. 21. [T].

NO decree could be made by the ſenate, without a previous motion from the Conſul. Dio ſays, Catiline was compelled to leave the city in conſequence of a decree of baniſhment from the ſenate. That cannot be, ſays another commentator; for Cicero, who was a ſtranger to ſeverity, would have acted repugnantly to his nature, if he had moved the ſenate for ſuch a ſentence; which he knew would infallibly be granted from his motion. He therefore, could not move for this decree, and, without him, no motion could be made. Cicero's mildneſs and philanthropy does not ſeem to have been ſo predominant in political proceedings, to juſtify the latter opinion.

NOTE XX. p. 21. [U].

THE conſpirators intended to open their bloody tragedy in the ſenate-houſe; and no one ſenator unconnected with their party, was to be ſpared. This, as well as the reſt of their reſolves, was reported to Cicero; and he took the neceſſary precautions. The defence of the ſenate, he privately aſſigned to the conduct of the knights.

IN every ſtage of Cicero's life, we ſhall find the order of knights the faithful abettors of Cicero. And, excepting the peculiar inſtance of his baniſhment, which however was ſoon reverſed, the people univerſally, ſupporting his meaſures. In modern, as in ancient times, the durable adminiſtrations, have been thoſe conducted by miniſters of plebeian birth. France, Spain, and Portugal, are ſtriking inſtances of this remark. But the annals of England afford the moſt concluſive evidence. From the reign of Henry the Seventh, down to the preſent incluſive, the durable miniſtries have been conducted by men of private extraction. The names of Empſon, Dudley, Wolſey, Cromwell, Cranmer, Cecil, Villiers,

Villiers, Wentworth, Hyde, Aſhley, Oſborne, Harley, Walpole, Pitt, all the ſons of commoners, are familiar to every man. And the adminiſtrations of thoſe miniſters and other commoners, will be found to fill a proportion of no leſs than two hundred and twenty, of two hundred and ſixty-one years, *viz.* from the commencement of Empſon and Dudley's miniſtry, to the end of Mr. Pitt's, in 1761. It will be unneceſſary to mention the adminiſtrators of the goſpel, and the directors of the laws, during the foregoing period. We all know, that the Archbiſhops, Chancellors, and Biſhops, till the commencement of the preſent reign, were ſelected, almoſt invariably, from the plebeian rank.

CONSIDERING theſe, and other circumſtances, we may conclude, that Cicero's advancement to the ſtate of influence and power he attained; in particular his ſupport therein for ſo long a time, and in ſo many critical ſituations; were highly favored, by the circumſtance of his birth, which was plebeian. His father, is generally ſaid, to have been a fuller; but had gained admittance, into the order of knights. His mother indeed, was a woman of high birth; which was no doubt, an advantage to him. This gave him connexions of rank, and perhaps ſmoothed his way to the patrician order; but his paternal deſcent being of an order much inferior, retained him always in the eſteem of that particular claſs; at the ſame time uniting him to the people.

MANY of Cicero's ſpeeches indeed prove, that he thought his extraction being private, an advantage to his views of power; and, to the ſupport of them. In the preſent oration, he makes a very beneficial uſe of the circumſtance of his birth: " *Præclaram* " *vero populo Romano, refers gratiam, qui te hominem, per te cogni-* " *tum, nullâ commendatione majorum, tam maturè ad ſummum impe-* " *rium, per omnes honorum gradus extulit.*"

NOTE

NOTE XXI. p. 22. [W].

IF Catiline, from his fears of perſuing the conſpiracy, or from a conſciouſneſs of innocence, which laſt, Cicero was well aſſured was not the caſe, had retired from the Roman territories, and the city had remained in quiet; Cicero would have been much embarraſſed to find the means of defending himſelf againſt the tide of reſentment, that muſt have flowed with great impetuoſity from Catiline's friends.

NOTE XXII. p. 23. [X].

THE *Forum Aurelium* was a court where the ſoldiery were inrolled. The city of Aurelia ſtood not far from Rome; and the road leading from one to the other, bore the name of *Via Aurelia*. This was the road by which Catiline muſt neceſſarily paſs, to the camp of Manlius.

NOTE XXIII. p. 23. [Y].

CAIUS MARIUS, is ſaid to have introduced the eagle as the national ſtandard of the Romans, by bearing it as his own, in the legion he commanded in the Cimbrian war. Vegetius ſays, the eagle was borne long before, as the imperial ſtandard of Rome; and that when the legions were divided into cohorts, or companies; the eldeſt cohort aſſumed the ſilver eagle. The younger companies bore this emblem diſplayed upon a banner.

THE Romans regarded all their banners as ſacred; but the ſilver eagle, was the object of their adoration. They ſwore by this token, reſted their defence thereon; and reckoned ſucceſs impoſſible, if that ſhould diſappear. No wonder Catiline took care to be furniſhed with ſo uſeful a tool, to work upon credulity and

ſuperſtition. Cicero calls this inſtrument, the *ſacrarium*, or ſanctuary, of all the mal-practices carried on in Catiline's houſe.

NOTE XXIV. p. 24. [Z].

THE mode of ſupport, to which Cicero alludes in Catiline's caſe, was not the moſt honorable to the reputation of the Roman ladies, and probably an embelliſhment of Cicero's invention. Opium, and narcotics of every kind, muſt otherwiſe have been of great value among the Romans; as truſting to the mere ſleep of nature, in ſuch critical caſes, would have been both dangerous and tedious to the parties concerned.

NOTE XXV. p. 25. [AA].

EVOCATOR SERVORUM. A ſarcaſm levelled at Catiline. The *Evocator*, or Conquiſitor of the military in Rome, was an officer nearly equivalent to our muſter-maſter. But, there were beſide, evocators of an inferior rank; who inliſted ſlaves from the priſons, or perſued fugitive criminals. Theſe were eſteemed in about the ſame degree with a modern beadle, or ſheriff's officer. This however, is the ſpecies of *Evocator*, meant for Catiline.

NOTE XXVI. p. 25. [AB].

CICERO is pretty frequent in his antitheſis, or pun: "*Non* "*emiſſus ex urbe, ſed immiſſus in urbem videatur.*" See alſo in a ſubſequent paſſage of this oration, *reprimi, non comprimi*, and in *innum. loc.* the ſame.

NOTE XXVII. p. 25. [AC].

CICERO here, adverts to the Sempronian law. By that, no citizen of Rome could be capitally condemned but by the people; on which account, all capital cauſes regarding Roman citizens,

citizens, were referred to the people. His diſtinction, however, in Catiline's caſe, will be found more ſubtle than ſolid, more artful than juſt: "*Nunquam in hac urbe, ii, qui, à republicâ defecerunt,* "*civium jura tenuerunt.*" But Catiline had not then by any act, or declaration, renounced his allegiance; and was therefore, by every rule of law, a Roman citizen. The law of nations, and the rights of juſtice, forbid condemnation without a trial; nor, can a magiſtrate be juſtified by either, in depriving a citizen of his life or political rights, without a trial. In caſes of exigency, as overt treaſon, or murder; or ſuch occaſions, where the preſervation of a life, or the ſafety of a ſtate depends upon the inſtant death of the criminal: theſe are not within the common ſcope of juſtice, nor, is the magiſtrate's interference of abſolute neceſſity. In ſuch palpable caſes, among the Romans, any indifferent perſon might interfere; and if he could not ſeize, kill the offender. But the party being apprehended, however guilty of an intention to commit the crime; he was not only within the protection of the ſtate, but conſidered as innocent, till tried and found otherwiſe. Cicero is right in his poſition reſpecting convicted perſons; but the application in Catiline's caſe, who was not then convicted, is undoubtedly erroneous.

NOTE XXVIII. p. 25. [AD].

CICERO, at a time when ſix competitors appeared, was unanimouſly elected to the Conſulate, in the forty-third year of his age. The forty-third year of a man's life, was called *Annus Conſularis*; becauſe no one could be eligible to the office before he attained that age. From thence Cicero ſays, *tam maturè*, which is here tranſlated "rapidly." He had previouſly paſſed through the offices of Queſtor, Edile, and Pretor.

NOTE XXIX. p. 26. [AE].

CICERO gives an elegant definition of envy, in his Queſt. Tuſc. lib. iv. " *Eam eſſe dicunt ægritudinem ſuſceptam propter* " *alterius res ſecundas, quæ nihil nocent invidenti.*"

NOTE XXX. p. 26. [AF].

CESAR, though not co-operating in this conſpiracy, was ſuppoſed to be privy to the tranſaction. His conduct, in many inſtances, juſtifies the ſuppoſition. Cicero in this paſſage, certainly alludes to Ceſar, and his friends. In many other paſſages, Cicero touches delicately upon Ceſar's opinion; and particularly in the fourth oration againſt Catiline, he courts, ſooths, catches his idea, and ſeems to be more anxious for Ceſar's concurrence and approbation, than for the ſenate's. Ceſar was then in his thirty ſeventh year, juſt beginning to unfold thoſe great deſigns, the perfecting of which, gained him that univerſal honor and reputation, poſterity has ever ſince ſo juſtly and invariably, aſcribed to him.

NOTE XXXI. p. 27. [AG].

SUSPICION of power, or whatever had the appearance of leading to an uſurpation, or re-introduction, of the regal dignity, was a great object of terror to the Roman people. They conſtrued the leaſt attempt toward popularity, into a deſign of this kind. Indeed, the Conſul had a difficult part to act, in avoiding either to oblige or oppreſs the people; as either, in any conſiderable degree, was dangerous to the magiſtrate. But, the latter was the leaſt to be feared by the Conſul. The Romans, often ſacrificed the ſubſtance for the ſhadow. Deteſting as they did, the title of king, they nevertheleſs, ſuffered dictators and emperors, to rule them in the moſt arbitrary manner.

NOTE

NOTE XXXII. p. 27. [AH].

THIS conſpiracy had been privately foſtered upwards of two years. Cicero himſelf, has been ſuſpected of nurſing it to a certain degree of forwardneſs, in order to anſwer his own purpoſes. There can be no doubt, that his intereſt was greatly ſtrengthened, by the ſagacity he diſcovered in perſuing, and the popularity he acquired, in exterminating ſo dangerous a plot.

NOTE XXXIII. p. 29. [AI].

CICERO, like all men of ſubtlety and genius, takes every advantage of the ſuperſtition and bigotry of the times; without being infected by the ſame follies himſelf. Every reader of any acquaintance with the Roman hiſtory cannot but know, that omens, ſigns, and tokens, regulated almoſt every action among the Romans. In the preſent inſtance, Cicero ſeems to have been very much puſhed for an omen; ſince he was obliged to make uſe of his own declamation, in lieu of a *cornix, ſiniſtrâ cavâ monere*, or a flight of birds put up by ſome truſty agent without.

NOTES

OF THE

SECOND ORATION

AGAINST

CATILINE.

NOTE I. page 33. [A].

CICERO, by the power of his eloquence, and the arts of his emiſſaries, having gained the entire acquieſcence of the ſenate, now makes an attack upon the people. The arguments of juſtification, are nearly the ſame with thoſe uſed in the preceding oration; but more peculiarly adapted to the faculties and propenſities of the audience he was to encounter upon this occaſion. The conſpirators, thoſe remaining at Rome in particular, are very ingeniouſly claſſed; and their characters moſt excellently deſcribed. The character, and powers of the ſtate, are alſo drawn with a maſterly hand; and beautifully contraſted with the enemy, in thoſe particulars. While the virtues of the ſtate are blazoned in the fineſt colors; the bearings of the conſpiracy, are compoſed of blood and darkneſs. In proportion, as the actual force of Rome, is ſtrengthened by Roman virtue; the real numbers, conduct, and courage on the enemy's ſide, is proportionately diminiſhed, by the infamous

infamous character of the conſpirators. Cicero, is careful, not to be deficient in commendations of his own conduct; but ſcatters ſuch encomiums on himſelf, in almoſt every page, as would have covered a man poſſeſſed of the ſmalleſt portion of modeſty, with confuſion. This practice, is not peculiar to the preſent oration. Every oration participates in a greater or leſs degree, of theſe ſelf-created excellencies. Though ſuch a practice would, in our time, be reprobated, and the ill ſucceſs certain; yet Cicero, taking in his own ſituation, and the circumſtances of his time, is not perhaps, juſtly reprehenſible. The people of Rome, far from being diſguſted with his ſelf-beſtowed compliments; felt thoſe new beauties of his own creation. So blindly did they deliver themſelves to his guidance, ſo implicitly adopt for true whatever he aſſerted, and for well conceived whatever he imagined; no aſſertion was too groſs, no opinion too ridiculous, for the Romans to admit, coming from their favorite orator. Theſe circumſtances are ſo notorious, that poſterity have doubted, whether the extravagant encomiums he laviſhed on himſelf were the effuſion of vanity, or the ſuggeſtions of a political genius. Frequent iterations, however, of that kind, have a diſagreeable effect in the conduct of a literary work. But in this ſublunary world, every production has ſome imperfections. The neareſt to perfection has many. The fineſt metal has ſome alloy; and no gem was ever yet produced, without a ſpeck. But, the brightneſs of Cicero's genius, his phraſeology, and accuracy, together with the fire and animation that glow in every page of his writings, are wonderful. Such enchanting properties will ſupport him moſt probably, to lateſt poſterity, in the rank he has hitherto held, and now enjoys; of being, not only the firſt orator of the univerſe, but the model of univerſal oratory.

NOTE II. p. 34. [B].

WHEN a Roman ſoldier forſook his original poſt, he for ever loſt his honor, even if killed bravely fighting in another

ther place. Some authors have ingeniouſly obſerved, that when the Romans forſook their poſt in battle, it was conſidered as an omen of victory by the enemy. Though omens have been already treated with ſome degree of irreverence; that omen has certainly the appearance of much good ſenſe. Many good phyſical reaſons, and long experience of the fact, have indeed ſhewn us, that the retreat of one party, exhibits a moſt excellent omen in favor of the other.

To queſtion the courage of the Roman troops, would be abſurd, yet we may aver, that impulſes, ſtamped with the mark of their auſpices, had as great a ſhare in forming that undaunted ſpirit which animated the breaſts of Romans, as the generous juices that circulated ſo freely through their veins. The Turks have carried their religious artifices ſtill farther. An immediate reception into the beatified ſhades, an inſtantaneous tranſlation to the unlimited and perpetual enjoyment of every ſenſual pleaſure, are the promiſed rewards of every Turk who falls in battle, defending his poſt. The military glory of Britain, though equal to the Roman, and beyond all compariſon with the Ottomite, has ever been uninfluenced, untinctured by the aid of prieſtcraft. The generous, noble courage of the Britiſh people, was always the reſult of a natural and prevailing ardor, inhaled with their firſt breath, genially operating in their blood, and rendered perpetual to their conſtitution, by freedom and patriotic affections. This tribute to the genuine, and therefore ſuperior valor of our countrymen, though *extra cauſam*, and in one ſenſe ſelfiſh, may yet find excuſe, even from an enemy.

NOTE III. p. 35. (C)

CATILINE, was accompanied by three hundred perſons. And thoſe, moſtly the companions of his debaucheries.

NOTE

NOTE IV. p. 38. (D)

EVERY man of delicacy muſt wiſh, that certain paſſages of a peculiar nature, could be omitted in tranſlations from Roman authors. But theſe paſſages are ſo numerous, and generally ſo interwoven with the ſubject, that few claſſical works will admit of omiſſions of that kind. The reader, however, will be leſs diſturbed by ſuch paſſages in Cicero, becauſe Cicero never mentions the vice here underſtood; unleſs to repreſent the deformities, to vilify the practice, and to chaſtiſe the votaries of ſuch a ſhameleſs purſuit. Whereas, the tranſlators of Horace, Virgil, Ovid, and the Roman poets in general, have been always under the diſagreeable neceſſity of painting this vice in alluring colours. They have been compelled to treat it, as one of the great ſources of human felicity, and to grace ſuch unnatural propenſities, with all the beauties of diction, and the utmoſt refinement of taſte.

NOTE V. p. 38. [E]

CATILINE's qualities, natural and acquired, were doubtleſs ſhining and powerful; or ſo enraged an enemy as Cicero, would not have mentioned them. In drawing the character of an enemy, an artful orator will generally interſperſe ſome favorable incidents; otherwiſe, the partiality of the ſpeaker, which under circumſtances of moderation might not be ſuſpected, becomes evident. The orator may beſide as Cicero has done, draw conſequences unfavorable to the man, from his very virtues; ſeeing them contraſted, and ſo greatly overborne by his vices. For vicious habits, under the guidance of genius and capacity, abetted by rank and ſituation, are capable of producing a monſter of ſuch formidable powers, to make the world tremble.

NOTE VI. p. 39. [F]

THE Romans, in imitation of the Greek Bacchanals, crowned their *conviviones* with garlands of flowers, and other fantaſtic ornaments. Thoſe, whoſe debaucheries were bounded by any kind of moderation, confined their appearance in theſe whimſical attirements, to the ſcene where the meeting was laid. But Catiline and his aſſociates, are repreſented as burleſquing every ſerious proceeding; and entering upon political buſineſs, at a time, in a place, and under circumſtances, very ill ſuited to legiſlative operations. The *holy* Franciſcan order of England, ſeems to have been an excellent model of Catiline's ſociety, with this difference only, that the Roman joke went to the overturning a government, and murdering a people; whereas our holy brothers of the Franciſcan, had but this ſimple *innocent* intention; of ridiculing religion. Both were but jeſting, as Hamlet ſays. In the one caſe, murder in jeſt, in the other, b——y.

NOTE VII. p. 40. [G]

CICERO here means Pompey. By Pompey's valor, Mithridates had been vanquiſhed, and the kingdom of Pontus ſubdued; the ſea cleared of pirates who infeſted the coaſts of Italy; and peace eſtabliſhed every where.

NOTE VIII. p. 42. [H]

THE Faſces were an enſign of honor, originally appropriated to the Conſuls of Rome only. They were afterward allowed to perſons of Conſular dignity upon public occaſions. In a ſtrict ſignification, the faſces repreſented the majeſty of the Roman empire. Therefore Catiline's ſending them, with the other military preparations to Manlius' camp, was conſtrued by Cicero, and with great plauſibility, into a deſign of Catiline's inveſting himſelf with the real powers of government, upon his arrival there.

NOTE

NOTE IX. p. 44. [I]

SOME authors aſſert, that Catiline wrote to the principal inhabitants of Marſeilles, acquainting them of the perſecutions he ſuffered, in conſequence of unjuſt imputations brought againſt him by his enemies, ; and that, being unable to reſiſt the torrent of faction which rolled in upon him, he had determined to retire to their city, not from a conſciouſneſs of criminality, but to avoid being the cauſe of diſſention at Rome. Marſeilles was at that time a city of conſiderable rank, eminent for literature and morality, and as Cicero ſays, faithfully attached to the republic. The importance of keeping them firm in that attachment, ſeems evident, from the dread Cicero ſuppoſes the people entertained of Catiline's cajoling and intriguing with the Marſeillians. The compliment Cicero tenders to Catiline, in ſuppoſing that his mere perſonal addreſs might corrupt a whole city, zealouſly devoted to, and intimately connected with the Roman ſtate, demonſtrates the great perſonal advantages poſſeſſed by Catiline.

NOTE X. p. 45. [K]

CICERO divides the delinquents into ſix claſſes. In deſcribing the firſt claſs, a moſt excellent leſſon is given by Cicero to men of incumbered eſtates, and extremely applicable to the Britiſh nation. " *Qui magno in ære alieno majores etiam poſſeſſiones habent, quarum amore adducti, diſſolvi nullo modo poſſunt.*" " Who hold great " eſtates under great incumbrances ; but, from a partiality to their " poſſeſſions, refuſe to ſubtract from the firſt, to accommodate the " latter."

IT is a notorious fact, that men of incumbered landed eſtates, particularly thoſe whoſe eſtabliſhments exceeded their incomes, were accuſtomed to borrow at any rate of intereſt, rather than alienate a part of their eſtates. This principle, ſo deſtructive to their

true intereſt, was founded on a very falſe point of dignity. Men are generally inclined to ſuppoſe, that their importance in the county where their poſſeſſions are ſituated, depends upon the ſum total of their rental; that, to ſubtract from this ſum, is diminiſhing their importance, and abridging their dignity. Admitting this, is not the real intereſt of a man's fortune, and the true happineſs of life, of much more conſequence to him, than an importance without a juſt foundation; even, though that importance ſhould continue to ſerve his purpoſes, of local dignity and influence?

THIS advice would perhaps have been more pertinent, before the commencement of the American war. The proportion between the fee ſimple, and the rental of eſtates at this juncture, obviates every benefit that might be otherwiſe derived, from the principle inculcated. Should the ſeaſon of proſperity return, we may then remember theſe circumſtances with advantage.

CICERO has, with great ſeverity, ſatirized the continuance of an expence beyond the income; even where the eſtate is large. He conſiders men in that predicament, as dangerous to a ſtate, from the deſperate condition of their fortunes; but, not otherwiſe. For, he concludes, that they muſt be egregiouſly deficient, in fortitude and underſtanding.

NOTE XI. p. 45. [L].

CERTAIN dignities or ſituations rendered the perſons poſſeſſing them ſacred. The Conſuls, the Tribunes, and the *Pontifex Maximus*, were of that number.

NOTE

NOTE XII. p. 45. [M].

THE clamors of the Roman people, often produced an abolition of debts. Sometimes, thoſe debts were aboliſhed without diſcrimination. At other times, the debtor was aſſigned to pay an half, a third, or ſome ſtated proportion of his debts. And upon ſome occaſions, acts of inſolvency were paſſed with equitable conſiderations: A ſurrender of the debtor's whole property, to the uſe of his creditors.

NOTE XIII. p. 46. [N].

THERE ſeems no reaſon to ſuppoſe that the conſpiracy ſhould end, as Cicero ſays, in the elevation of ſome low fellow. Men of the firſt rank were engaged in the undertaking; and the leader, a man not only of rank, but of undaunted courage. No reaſonable cauſe therefore can be aſſigned, for ſuch a ſuppoſition.

NOTE XIV. p. 47. [O].

THE arrangement of Cicero's claſſes, are ſo applicable to our own times, that a modern ſatiriſt could not divide them more judiciouſly. How exactly does the deſcription of the third claſs correſpond with numbers of our coloniſts?

SYLLA eſtabliſhed ſeveral colonies of his own adherents; to whom he granted immenſe tracts of land, and alſo the houſes and effects of ſuch citizens as had oppoſed his forces. Feſula, was one of thoſe colonies. Cicero allows theſe coloniſts to be, in general, brave and worthy men; but, lovers of plunder. This is no wonder, conſidering their eſtabliſhment was built upon that foundation. And having beſide, no education to guide them, in the management of fortunes ſo ſurreptitiouſly and unexpectedly obtained;

obtained; there is nothing extraordinary in their ſquandering them, in fooliſh and taſteleſs extravagancies.

NOTE XV. p. 49. [P].

CICERO conſiders both the beardleſs, and the bearded, as effeminate perſons. The beardleſs, for obvious reaſons. The bearded, on the following account. About the year four hundred and fifty-four of Rome, Publius Lucius Meno, brought a number of barbers with him from Sicily, and ſhaved the whole Roman people. Shaving, prevailed ſo generally at the time of Cicero's writing; that a deviation from that cuſtom, was deemed an inſtance of ſingularity and foppery. Accordingly, thoſe of Catiline's ſet, who encouraged the beard by combing, and the uſe of ointments; were diſtinguiſhed by Cicero, as firſt-rate beaux. The ſituation of a Roman beau, muſt at that time, have been very perplexing. If he retained his beard, he was pronounced a fop; if he had none, a pathic.

A LOOSE flowing gown was another mark of foppery and effeminacy, at Rome. The tunic, or cloſe gown with ſleeves, was preferred by men of buſineſs, or plain-dreſſing people; flowing robes, by the faſhionable men. But robes both thin and flowing, were deemed the certain ſigns of a libertine.

NOTE XVI. p. 49. [Q].

CICERO's expreſſion is, "*antelucanis cænis*," which ſignifies debauches that laſt till break of day.

NOTE XVII. p. 49. [R].

CICERO concludes, that Catiline and his aſſociates cannot lie alone, and therefore, muſt have women. He forgets how numerous

numerous he told us their pathics were. However, Cicero now calls the principal leaders, " *Scortatorum cohortem prætoriam. Co-* " *hortem prætoriam,*" by way of deriſion. The Roman Pretorian Cohort, was compoſed of picked men; and of ſuch rank and eſtimation, that they were never commanded by any general of leſs than conſular, or pretorian dignity.

NOTE XVIII. p. 52. [S].

CICERO values himſelf greatly, for carrying on this war in the character of a civil magiſtrate. " *Me uno togato duce et im-* " *peratore.*" He frequently gives the Romans a hint of his extraordinary genius, in being able to conduct ſuch an extenſive conſpiracy, without laying aſide the robes of peace. This method was no doubt, the beſt ſuited, both to the genius, and inclination of Cicero. But, if Antony, or ſome able general, had not aſſumed a military character; Cicero's boaſt of all being done, " *togato duce,*" would, moſt probably, have been a circumſtance of ridicule, not of admiration.

NOTE XIX. p. 53. [T].

THE certain tokens Cicero mentions, were conveyed to him from the veſtal virgins. About this time, the veſtals were celebrating the feſtival of the *Bona Dea*, in Cicero's houſe; the cuſtom being to perform that ceremony under the inſpection of the wife or mother of the Conſul, or another lady appointed in her abſence. Terentia, Cicero's wife, who preſided on this occaſion, brought him the joyful intelligence of many proſperous omens; in particular, of a ſudden and fierce flame, iſſuing from the extinguiſhed aſhes on the altar. Theſe are, the " *multis, et* " *non dubiis ſignificationibus,*" to which Cicero alludes. Terentia,

tiâ, is repreſented by Cicero himſelf, as a lady ſo fond of politics, that ſhe attended to his public concerns, at the expence of his domeſtic affairs. She ſeems however, in the preſent inſtance, to have been a very uſeful agent.

NOTES

NOTES

OF THE

THIRD ORATION

AGAINST

CATILINE.

NOTE I. p. 57. [A]

THIS oration contains ſome very maſterly ſtrokes of that all-powerful eloquence, which ſcarcely ever failed the great author. Cicero had already exhibited before the ſenate, irrefragable proofs of the exiſtence of a conſpiracy; and ſhewn that Lentulus, Cethegus, Statilius, Gabinius, Caſſius, Ceparius, Furius, Chilo, and Umbrenus, ſome of them men of the firſt conſideration, were undoubtedly guilty of every ſuſpicion formerly ſuggeſted by him. The ſenate being ſatisfied, having decreed a thankſgiving to Cicero, and ordered the offenders to be ſafely lodged in priſon, Cicero's exultation was proportioned to the ſagacity and foreſight for which all Rome had given him credit. He therefore convenes the people, repeats the proceſs of the detection as related before the ſenate, and ſolicits what he was ſure of obtaining whenever he had the permiſſion of ſpeaking; their applauſe and concurrence. His ſelf-commendations are, if poſſible, ſtronger here than in the

preceding oration. Enthuſiaſtically heated by ſuch a recent inſtance of genius and penetration, he knows no bounds to his own deſerts, and exerciſes no moderation in his demands upon the people's applauſe; but prepares them for the ſcene of blood that was to follow, with every circumſtance that the ſubtlety of art could invent, the powers of literature arrange, or the force of oratory effect.

NOTE II. p. 57. [B].

THE ſtoics believed that every incident or ſeries of events relating to man, was in the firſt moment of his exiſtence doomed by the fates to a certain progreſs and termination; and that this doom was irrevocable. Of conſequence, they believed the death of every human being to be fixed at the birth. Seneca ſays, "*Pri-*" "*muſque dies dedit extremum.*" The Romans celebrated the anniverſary of their births, with great ſplendor, aſſiſted by their friends.

NOTE III. p. 58. [C].

CICERO plainly indicates, that he does not believe the ſtory of Romulus' apotheoſis. He attributes his deification, not to a corporeal tranſlation to heaven, as hiſtorians alledge, but to the generoſity and gratitude of the Roman people. "*Romulum ad deos immortales benevolentia famaque ſuſtulimus.*" Cicero's great contempt of ſuperſtition, is frequently diſcernible to an attentive reader. But being Augur, and of courſe the high-prieſt of ſuperſtition, he never neglects to avail himſelf of the credulity and weakneſs of the people upon that head. In his hands, ſuperſtition becomes a formidable weapon to combat their reaſon, and faſcinate their judgment; nevertheleſs his real opinion ſometimes eſcapes his utmoſt vigilance. In the preſent inſtance he ſeems to inſinuate that he has as much right to a deification, or rather more, than Romulus himſelf.

NOTE IV. p. 59. [D].

THE Allobroges were originally a people of Gaul, who inhabited Dauphiny. Tranſalpine Gaul, was a colony from Dauphiny, ſettled on the Alps, and on the eaſtern ſide of the Alpine mountains, now called Savoy and Piedmont. After ſeveral conflicts with the Romans, the Allobroges were ſo far ſubdued, that they ſubmitted to be governed by a Roman Pretor. Some complaints relating to the conduct of this governor, were the immediate object of the ambaſſadors from the Allobroges then at Rome. The conſpirators, deſirous of engaging ſuch a powerful people for an ally, tampered with their ambaſſadors. But they are generally imagined to have diſcovered the proceeding in the beginning to Quintus Sanga; and through Sanga, Cicero is ſuppoſed to have negociated with the ambaſſadors. Thus a plan was concerted for encouraging the addreſſes of the conſpirators, till they were brought into a ſtate which would amply diſcloſe all their deſigns, and enable Cicero to produce the proofs which he afterward obtained. The affair of the bridge, was undoubtedly conducted in concert with the ambaſſadors.

NOTE V. p. 60. [E].

THE Milvan Bridge, was a paſſage over the Tyber, leading to Tuſcany; diſtant from Rome about two miles.

NOTE VI. p. 62. [F].

VULTURCIUS, according to our own term was admitted an evidence. The public faith of courſe was pledged to him for his ſafety. The *jus gentium*, though not then eſtabliſhed ſo perfectly as a ſyſtem, operated nearly in the ſame manner. The perſons of ambaſſadors were exempt from puniſhment, even in caſes of treaſon. Theſe therefore had no fear, at leaſt in reſpect to their perſonal

ſonal ſafety. In modern times, 1715, the Swediſh miniſter laid a plan for the dethronement of George the Firſt. Count Palm, the Imperial miniſter, not only gave the lie to that prince, at whoſe court he reſided, but called upon his ſubjects to vouch for the juſtice of the imputation. The firſt had his papers ſeized, but his perſon was deemed ſacred. Count Palm was ordered to quit the kingdom; but this was a matter of triumph to him rather than otherwiſe: as his own maſter, under whoſe direction he acted, conferred new honors upon him at his return.

NOTE VII. p. 63. [G].

LENTULUS pretended to have the authority of the Sibyls for his elevation. In their books he ſaid was wrote that the three K.K.K. were the worſt letters of the alphabet; becauſe to the Greeks they ſignified Cappadocia, Cilicia, and Crete; to the Romans, the three Cornelii, meaning Cinna, Sylla, and Lentulus; who were all deſcendents of the houſe of Cornelius. A ſmall acquaintance with the claſſics will ſerve to explain, that the Greeks uſed the Kappa, or K, for C, and that the Romans alſo pronounced the C immediately preceding vowels or liquids, as K.

NOTE VIII. p. 63. [H].

"POST *virginum abſolutionem*." Fabia, a veſtal virgin, had been convicted of a criminal connexion, or according to the Romans, inceſt, with Catiline. But being the ſiſter of Terentia, Cicero's wife, ſhe obtained a pardon. By Cicero's expreſſion "*virginum abſolutionem*," the whole order ſeems to have been reprobated for the peccadillo of Fabia.

NOTE IX. p. 63. [I].

BY the inattention of Lucius Scipio, and Caius Norbanus, the capitol, a little before Sylla's uſurpation, was conſumed by fire; but

but ſoon after rebuilt by Catulus, in the Conſulate of Hortenſius and Marcellus.

NOTE X. p. 63. [K].

THE celebration of the Saturnalian feaſts, was the time propoſed by Lentulus, for ſtriking the deciſive blow; becauſe at that time, the city was drowned in voluptuouſneſs. Cethegus allowed the circumſtances of the feaſt to be favorable; but thought thoſe greatly over-balanced, by the unſeaſonableneſs of the delay.

NOTE XI. p. 63. [L].

THE Romans had not the art of folding their paper, and ſealing the extremities. They rolled up their letters, tied them with a thread, and ſealed them on the knot.

NOTE XII. p. 66. [M].

CAIUS Antony, Cicero's colleague in the Conſulſhip, was from principle, from friendſhip to Catiline, and from his own indigence and debts, inclined to favor the conſpiracy. But Cicero, by appointing him to lucrative offices, and by other artifices, kept him faſt to the intereſt of the republic, and the proſecution of his own deſigns.

NOTE XIII. p. 67. [N]

THE *Prætores urbis*, in the abſence or indiſpoſition of the Conſuls, were their ſucceſſors in the adminiſtration of public affairs. Almoſt every office of high dignity, rendered the perſon of the poſſeſſor ſacred. A ſolemn act therefore, of the ſenate and people, muſt have paſſed againſt Lentulus, before any judicial proceeding could be legally undertaken, if he had not voluntarily abdi-

abdicated the Pretorſhip. The ceremony of abdication was performed, by a deſpoliation of the purple robe; and an inveſtiture with another, ſuited to the degraded circumſtances of the priſoner.

NOTE XIV. p. 69. [O]

THE conſpirators who remained at Rome, are treated with great contempt by Cicero. He ſpeaks of them every where, as men of the meaneſt capacity. But what a glorious deſcription does he give of Catiline! Had nature, education, conſtitution, or whatever may be the principle that directs the genius and qualities of the mind in its perſuits, directed Catiline to exerciſe his capacity in a courſe of virtue, what happy effects might have reſulted to his country? The imagination, without a charge of chimerical ideas, might eaſily conceive, that the republic of Rome, would in that caſe, have found in Catiline, a balance or counterpoiſe, againſt the riſing genius of Ceſar; to which Pompey and his adherents, were unequal. In that caſe too, Ceſar moſt probably never would have been inveſted with the Dictatorſhip; never have fallen by the hands of Conſpirators; and, by a very eaſy ſtretch of imagination we may fancy, that the Roman empire would have flouriſhed at this hour. Not that Ceſar's elevation tended to the prejudice of the Roman ſtate; but that being ſo elevated, his aſſaſſination procured its ruin. Had he ſurvived a few years, he moſt probably would have provided for the future ſecurity of the Roman people.

NOTE XV. p. 71. [P]

THE city of Spoletum had ſuffered greatly by an earthquake. The ſtring of prodigies, and portents now mentioned, is made further uſe of in Cicero's *de Divinatione*. The year ſix hundred eighty-eight of Rome, two years before the era of the preſent conſpiracy, was marked with theſe events. They happened immediately to precede a conſpiracy forming at that time, which was cruſhed in the beginning; and Cicero avails himſelf of them in the preſent application.

THE

THE capitol ſtood upon the Tarpeian rock; was a tower ſtrongly fortified, and the garriſon of the city; having ſeveral ſubordinate towers diſtributed along the works. Here alſo was the repoſitory of the ſtatues of the moſt eminent and conſiderable men, produced in a courſe of time, from the earlieſt days of the republic.

NOTE XVI. p. 71. [Q].

THE Roman laws were engraven on twelve tables of braſs, fixed in the capitol; and held in the utmoſt veneration, by all ranks of people.

NOTE XVII. p. 71. [R].

A Statue of Romulus, with a fiſſure, which may paſs extremely well for the effect of lightning, is now in the capitol at Rome; and ſhewn to travellers, as the ſtatue mentioned by Cicero.

NOTE XVIII. p. 71. [S].

TAGES, the offspring of genius, was the firſt who taught the Aruſpicinian doctrine to the Etrurians, when he was but twelve years old. The Romans, on that account conſidered the Etrurians, or Tuſcans, as more ſkilled in the art than themſelves; and had ordained by a decree of the ſenate that among the Aruſpicinian prieſts, ſhould always be ſix natives of that country; in order to preſerve the art of divination pure and unvitiated. Though the decrees of fate were to be conſidered as immutable in the fact; Tages allowed, that the time of operation might be protracted to any period within ten years, from the date of the decree.

NOTE XIX. p. 72. [T].

SOME of the penances, injoined by the Aruſpices, were far from mortifying, or painful. Ten days revelling, was no very ſevere act of humility and propitiation.

NOTE

NOTE XX. p. 73. [U].

THE ſuperſtition of the Romans, muſt at this period, have rendered them blind to the moſt obvious, and groſs impoſitions; or they would not have ſuffered this paltry trick to ſucceed. A ſtatue, which had been two years in the artiſt's hands, is fixed at the moment the priſoners were paſſing. If the ſtatue had not been ordered before Cicero's firſt information of the conſpiracy, which muſt have been a period of five weeks, or more; there was ſufficient time even then, ſuppoſing diſpatch, to form and erect this happy omen. To impute an incident, ſo trivial in its nature, ſo capable of being accompliſhed by the moſt common and obvious means, to a powerful and preternatural interpoſition of the Gods; could proceed from the moſt conſummate aſſurance alone, and be received by the groſſeſt credulity only.

NOTE XXI. p. 74. [W].

THE Gods, not only interfered generally, to ſave the Roman empire againſt the baneful effects of this conſpiracy; but they acted, according to Cicero, a ſubtle and ingenious part. They not only induced Catiline to ſelect fools for his aſſociates; but they poſſeſſed a ſenſible and ſelf-intereſted people, of exceſſive folly, and a diſregard for their own intereſts. They drew out a chain of miſhaps to the number of ten thouſand links; and took the moſt complicated means to effect, what might have been accompliſhed, as Cicero ſays, by one blow, well aimed at Catiline. How much quicker, and more directly *ad rem*, are the operations of nature, than were thoſe of the Roman Gods, according to Cicero?

NOTE XXII. p. 74. [X].

"THE ſhrines," "*Pulvinaria*," were pallets or large cuſhions, on which the images of the Gods were placed; and before which,

which, the people proſtrated themſelves. On certain great feſtival days, they banquetted in the preſence of thoſe Gods. On ſimilar occaſions, matrons, virgins, and boys, paſſed in proceſſion through the ſtreets; ſinging anthems, in praiſe of the Gods.

NOTE XXIII. p. 75. [Y].

WHEN the Mithridatic war was decreed by the ſenate, the command of the expedition was given to Sylla. But Caius Marius, with the aid of Sulpicius then tribune of the people, attempted to wreſt it from Sylla; and to procure the appointment for Marius. But Sylla, feigning to be upon his way to the expedition, returned ſuddenly to Rome; engaged them both in the city, routed their adherents, and killed Sulpicius. Marius, fled to Africa.

NOTE XXIV. p. 75. [Z].

CAIUS OCTAVIUS, was joined in the conſulate with Cornelius Cinna. But being attached to Sylla's party, he procured the expulſion of Cinna from Rome, under pretence of his attempting to paſs laws pernicious to the republic, and obnoxious to Octavius. Thus expelled, a vacancy was declared in the Conſulate, and Cinna outlawed. But Marius returning from Africa, and uniting himſelf with Cinna, beſieged, took, and ſacked the city of Rome. The ſlaughter of Conſulars, patricians, and commoners, was incredible. The number of ſenators was ninety, fifteen being of Conſular rank; and among them, Catulus, Merula, Craſſus, Scevola, Mark Antony, and Caius Ceſar; all famous for their oratorial abilities. The number of citizens, who fell in Rome, amounted to ſeventy thouſand; beſide the maſſacres in other parts of Italy. The ſlaughter was ſo great and univerſal, that Furfidius recommended to Marius, a ceſſation of killing, or he would leave nobody to command; being then in the way to exterminate the Roman race.

MARIUS' party, after the death of Sylla, began to ſhew ſigns of life. His death happened in the Conſulate of Marcus Emilius Lepidus, and Quintus Catulus. Lepidus, was at the head of Marius' party; Catulus, on the adverſe ſide. The diſpute began about the interment of Sylla's body in the Campus Martius; but ended in the ruin of Lepidus, who raiſed an army, and was defeated. He fled to Sardinia, and died ſoon after.

NOTE XXV. p. 77. [AA].

POMPEY, was then in the career of conqueſt, adding province to province; and carrying the ſovreignty of Rome, into climates beyond the reach of its geographical knowledge.

NOTE XXVI. p. 78. [AB].

"*NIHIL jam ab iſtis noceri poteſt. Magna enim eſt, in republicâ "dignitas, quæ me ſemper tacita defendet.*" Shakeſpeare ſeems to have had this paſſage in view, when he makes the king in Hamlet ſay:

" Do not fear our perſon.
" There's ſuch divinity doth hedge a king,
" That treaſon can but peep to what it would,
" Acts little of its will."

NOTE XXVII. p. 79. [AC].

CICERO having drawn a parallel between the magnitude of Catiline's conſpiracy, and that of any former war or rebellion, finds the conſpiracy of Catiline to be more important than any precedent inſtance; not only in reſpect of the magnitude, but of his humane manner of defeating the aim of the conſpirators. But this was not ſufficient commendation. Pompey at that time, ſtood high in the eſteem of the people; the praiſe of his name reſounded

reſounded in the mouths of men, and was liſped by children. Cicero, jealous of this juſt tribute to the victories of Pompey, endeavors to depreciate them by a compariſon with his own ingenuity; reminding the Romans, that if Pompey's ſucceſſes were more ſplendid and triumphant, his were more important to the general good. Cicero then artfully introduces the ſubject of his own indemnity; deſiring that ſplendor and triumph might not bring ſecurity to Pompey, while the preſervation of the empire brought ruin upon himſelf. They both lived, or rather died as mirrors, to ſhew the vanity and inſtability of popular applauſe.

THE concluſion however, of this oration, furniſhes a delightful ſpecimen of Cicero's amendment, in the particular of vanity. The ſtrain in which he cloſes this ſpeech, is a mixture of firmneſs, dignity, and modeſty. The conſciouſneſs of having ſerved his country well, intentionally if not effectually, is here expreſſed with great delicacy, and in ſurprizingly-beautiful language. He declares, with the appearance of great intrepidity, and with very ſuperior fortitude, his contempt of whatever envy, or the malice of traitors might ſuggeſt; and manifeſts a ſoul replete with every virtue, or an unparalleled ſimulation of ſuch a ſoul. His promiſes to perſevere in the cauſe of virtue, in ſpite of every malicious effort; and to confirm by his future conduct in private life, any reputation he might acquire from the preſent circumſtances in his public ſtation; as they are finely expreſſed, ſo are they ſtamped with every mark of ſincerity. But his fears that any future error or caſual incident of life, to whlch the moſt virtuous are liable, ſhould degrade the glory of this event, by any appearance of its proceeding from chance or accidental merit, and not from a confirmed and rooted habit of virtue; are expreſſed in the moſt elegant terms. And they convey ſo ſtrong an idea of his poſſeſſing all the attributes of virtue, notwithſtanding the numberleſs incidents to the contrary; that mankind might be led to believe, he really poſſeſſed them all, with ſcarce an alloy.

NOTES

OF THE

FOURTH ORATION

AGAINST

CATILINE.

NOTE I. page 83. [A].

THE works of Cicero, afford no finer piece of compoſition, than his fourth oration againſt Catiline. His periods in general are ſhorter, the language more nervous, and the arrangement of his phraſes though leſs florid, yet more harmonious than in any other of his orations. The deference he bears, and the weight and importance he aſcribes to Ceſar's opinion, concur to ſhew; what a degree of eminence and influence, Ceſar had at that time attained, in the eſtimation of Cicero. Ceſar, was then in his thirty-ſeventh year. A period of nature, when every faculty of the mind is drawn to its utmoſt degree of tenſion; and nature indued, with the aggregate of the powers of life. Ceſar had been long preparing for the great ſcenes he was afterward to act; but his rehearſals, though had in the moſt public manner, and tranſacted with the world, were conducted with ſo much judgment and diſcretion, to conceal that very great degree of excellence

excellence with which he muſt appear when the exhibition ſhould begin in form. Yet Cicero, whoſe penetration nothing could reſiſt, whoſe vigilance nothing could elude, was one of the diſcerning few who ſaw the ripening greatneſs of Ceſar. He knew alſo, that Ceſar, in the conſpirators caſe, was inclined to mercy; while he himſelf, had reſolved upon the execution of the conſpirators. Nevertheleſs, ſo great was his dread of acting from his own opinion in oppoſition to the ſentiments of Ceſar; that he delivered no opinion, but cajoled the ſenate into a decree correſpondent with his inclinations. Thus, as a magiſtrate, and the agent of the republic, ſecuring himſelf under public authority, he accompliſhed his private deſigns in their fulleſt extent. So ſheltered and ſecured, Cicero ſtill ſoothed the ſpirit, deprecated the reſentment, and implored the concurrence of Ceſar. The compliments he tenders, and the adulatory praiſes he beſtows upon him, are as highly framed as the pen of Cicero could effect. Throughout the remaining part of Ceſar's life, Cicero is equally careful of diſobliging that hero; and contents himſelf always, with acting a ſecond, or any, or no part, under Ceſar. Had Cicero been equally guarded in his conduct toward Antony, he might have reſigned his breath in the courſe of nature. Antony did not poſſeſs the talents of Ceſar; but he poſſeſſed power, and that at the time when Cicero uttered his philippics. Poſterity, at this moment, muſt therefore feel regret, that Cicero ſhould have been leſs deficient in caution, when oppoſing Antony, than in differing with Ceſar.

NOTE II. p. 84. [B].

CICERO had been attacked in the forum, the courts of juſtice, the Campus Martius, and the ſenate. In the latter, he was threatened by Catiline, in theſe remarkable terms: "The re-
"public has two bodies; the one with, the other without, a
"head. The headed body, is of a ſickly conſtitution; but that
"without,

" without, healthful and flouriſhing." Of this laſt, Catiline intended to make himſelf the head.

NOTE III. p. 84. [C].

PLUTARCH, in the lives of the Gracchi ſays, that in the early ages of Rome, no man could be arreſted or ſeized in his own houſe for any crime whatever. The cuſtom was, for the cryer to cite him to appear, by the ſound of trumpet.

NOTE IV. p. 84. [D].

THE Curule Magiſtrates, were the Conſul, Cenſor, Pretor, and Edile. They were ſo denominated, from the chair of ſtate or curricle, in which they were carried. In theſe carriages the ſeats, or tops, or both, were of ivory.

NOTE V. p. 85. [E].

THE Stoics, ſo far from conſidering death or bodily inflictions, as painful or a misfortune; inſiſted that both were deſireable events, and real bleſſings.

NOTE VI. p. 85. [F].

QUINTUS CICERO, the orator's brother, with a numerous train of relations and friends were preſent, to ſupport the orator in his deſigns. We are informed that Quintus Cicero, from principle, inclined to the moſt ſevere and vindictive puniſhments; and that he even urged Cicero on that point. Cicero ſeems not to have required much importuning, to adopt the ſame principles.

NOTE VII. p. 85. [G.]

TULLIA, Cicero's daughter, was one of the moſt accompliſhed characters, of her own or any other age. She was endowed with a beautiful form; her manners were the moſt gentle, inſinuating, and virtuous; and ſhe poſſeſſed a mind, juſtly framed by nature, for receiving knowledge upon ſyſtem, and of producing correſpondent excellencies. Her fears were not the trick of artifice, nor the effect of weakneſs; but the genuine feelings of a dutiful and an affectionate daughter, founded on a juſt ſenſe of the dangerous ſituation of a moſt excellent father.

NOTE VIII. p. 86. [H].

A MASTER engaging his ſlaves in any enterprize againſt citizens, unleſs the ſame circumſtance was practiſed by the adverſary, the Romans deemed diſhonorable. The enemies of Milo adduced ſuch a charge againſt him, as a great aggravation of his guilt, on the occaſion of Clodius' murder. Cicero there defends the juſtice of arming ſlaves; in Catiline's caſe, he conſiders the ſame incident as unjuſt and mean. The cauſes, no doubt, were very different.

NOTE IX. p. 87. [I].

MANY of Cicero's concluſions are unfair, and drawn without the leaſt degree of candor or juſt inference, merely to ſerve his purpoſe. This, of all others, is the moſt ſhamefully abſurd. That the ſenate ſhould patiently hear ſuch a ſtrong reflection on their judgment; and ſuch a manifeſt violation of the common principles of reaſon, is aſtoniſhing. "*Ii, qui in cuſtodiam nomina-*" *tim dati ſunt, ſine ullâ dubitatione a vobis damnati eſſe videantur.*" Is there indeed, no difference between committing a priſoner, and condemning him?

NOTE

NOTE X. p. 88. [K].

DECIUS SILANUS, being one of the Conſuls elect, in taking the ſuffrages, was firſt called upon. Our cuſtom in taking the votes of peers, is to begin with the perſon of loweſt rank.

NOTE XI. p. 89. [L].

CESAR, is here ſuppoſed to allude to ſuicide, as a valuable right of nature.

NOTE XII. p. 89. [M].

DISPERSING a few criminals among a number of great towns, does not ſeem to imply any injuſtice; nor does the difficulty of ſecuring the criminals there, appear to be very embaraſſing. Great Britain has conſtantly loaded her colonies with the refuſe of her people; and many wealthy and valuable members of ſociety, have been produced by that practice. The principal towns were perhaps exempt by charter, from the reception of troops. Cicero may mean therefore to inſinuate, that the guards, *horribiles cuſtodias*, were an infringement of the rights of thoſe towns. The number of ſoldiers, neceſſary to guard the priſoners then in cuſtody, could not be very conſiderable. But Cicero, had many ſtumbling blocks, always ready to place in the way of thoſe who went a different road from himſelf. All wiſe governments have found means to evade ſuch kinds of exemption. *Imperium in imperio*, is an abſurdity; and one of theſe empires muſt ſoon be annihilated. Lyons, a municipal town of France, is by charter exempt from the entertainment of troops, under the denomination of ſoldiers. Yet, the *Marechauſſées*, under the direction of government, take very good care of the town. The city of Bruſſels, poſſeſſes the right of having garriſon duty performed by the citizens. This is performed by them, but the Empreſs Queen, always

always quarters one of her beſt regiments there, to ſee that the citizens perform their duty, " in a ſoldier-like manner."

THE circumſtance of paſſing an act that never ſhall be reſcinded, is equally abſurd. Such a principle, neceſſarily preſuppoſes perfection in human legiſlation; and immutability, in the particular properties of particular nations. But both theſe circumſtances, are falſe; they are not in nature. Can we ſuppoſe, that a conſtitution ſhould be ſo formed, to ſuit the conjunctures of all ſucceeding ages, both in reſpect of the governed people, and the vicinal nations? France, Spain, England, Germany, Denmark, Sweden, all the nations of Europe tell us, there is no ſuch permanency; for they have all, at different periods, changed the fundamental principles of their reſpective conſtitutions. And in the courſe of ſucceeding ages, by a parity of reaſoning, may either revert to their original conſtitutions, or experience new ones.

NOTE XIII. p. 90. [N].

CICERO's arguments to prove that death is preferable to perpetual impriſonment, would not be received either by the ſtoics, or our modern philoſophers. Cicero ſays to the ſtoic, death is leſs painful than ſlavery, being of momentary duration. The true ſtoic, would take this argument for granted; but reliſh it the leſs, for being leſs painful. The modern philoſopher, would in all probability, reject the argument as falſe, *in omnes partes.*

NOTE XIV. p. 90. [O].

CICERO here ſpeaks of hell with ſome kind of confidence, and as if he did not diſcredit the belief of a future ſtate of puniſhment. But in his *Tuſcul. Quæſt.* he denies the exiſtence, of ſuch a ſtate.

NOTE XV. p. 91. [P].

MODERN hiſtory has not complimented the memory of Ceſar with higher eulogiums, than Cicero offers to him in his preſence. What a glorious emanation of thoſe god-like qualities Ceſar afterward diſplayed, muſt have appeared at that early period, to render him then, an object of ſuch importance! Ceſar at that time, had produced no ſign of taking a public and diſtinct line in life. That beaming forth, that reſplendency of genius, which though concealed from vulgar eyes by Ceſar, was viſible to the penetrating view of Cicero, even at ſo great a diſtance from the period of diſplay, muſt have had a ſilent operation. The character of Ceſar, is an object of ſuch univerſal admiration, that every opportunity of diſplaying his excellencies, is grateful to the imagination.

NOTE XVI. p. 91. [Q].

THE Sempronian law was inſtituted, from a propoſition of Caius Sempronius Gracchus. The object was to prevent any citizen of Rome from being put to death, but by the conſent of the people publicly aſſembled. Cicero aims to remove the obſtacles thrown in his way, by this law. And he mentions that Gracchus the author, was killed in direct violation of this very law. To ſtop any attempt of referring to the people on behalf of the conſpirators, Cicero makes uſe of an argument which he pretends Ceſar urged in his ſpeech: "That in caſes of treaſon, "the offenders were not within the pale of this law; having *in* "*actu primo*, forfeited their rights of denization." This may be good logic; but with us, it is bad law. To our great happineſs, conviction alone, can undenizate a citizen of England. This mode of evading the Sempronian law, does more honour to the caſuiſtry, than to the law knowledge, or integrity of Cicero. The mode was indeed, ſo lame, and defective in itſelf; that he was obliged to

to prop and ſupport it, by the authority of Ceſar's pretended opinion.

NOTE XVII. p. 92. [R].

CICERO repeatedly founds his opinion for a capital condemnation of the priſoners, upon principles of humanity and mildneſs. But can any man, in any perſuit, manifeſt more viſible ſigns of a ſanguinary and vindictive ſpirit? His doctrine, that every man of feeling and humanity, in viewing a retaliation of death and torture upon the murderer of his deareſt connexions, muſt find his ſorrows ſoothed and his anguiſh aſſuaged, is equally extraordinary. A view of the ſuffering criminal, be his crime what it may, and however juſtly merited the puniſhment; will always excite a ſenſation of pity and diſtreſs, not of ſoothing or comfort, in the breaſt of humanity.

NOTE XVIII. p. 95. [S].

CICERO frequently ſays that one article of the conſpiracy was an agreement to murder every man not embarked in the enterprize. That the ſlaughter was deſigned to be great, is allowed on all hands; but there is ſomething romantic and ridiculous, in ſuppoſing that was intended to be univerſal. Upon this idea however, a man of humor adviſed Catiline to have ſome limitations to the maſſacre; or he would have nobody left to command.

NOTE XIX. p. 95. [T].

THIS oration was delivered in the forum, then a part of the capitol. The capitol, which the preſent ſtate of Rome evidently ſhews, was ſurrounded with temples. Theſe were of great uſe to Pompey, when he preſided at the trial of Milo, as receptacles for his guards; becauſe in that ſituation, they had the com-

mand of every avenue to the capitol. Cicero, probably made a ſimilar uſe of the temples.

NOTE XX. p. 96. [U].

THE Sempronian law in the year ſix hundred and thirty of Rome, transferred the direction of judicial proceedings, which before that period had been veſted in the ſenate, to the direction of the knights only. Hence aroſe perpetual diſputes between the ſenatorial and equeſtrian orders. Sylla in the year ſix hundred and ſeventy-three of Rome, reſtored the ſenate to the full exerciſe of its original privileges. But no amicable intercourſe took place till the year ſix hundred and eighty-three; when Aurelius Cotta fixed the direction of juridical cauſes, in the ſenate, the order of knights, and the *Tribuni Ærarii* jointly. Cicero inſinuates, that the preſent danger ſerved as a cement, to the union of the ſenatorial and equeſtrian orders; which though brought together ſeven years before by Cotta, had not ſufficiently combined their intereſts. What an admirable uſe this great man makes, of every incident! However foreign to his cauſe, however unconnected with, however diſſimilar to the object!

NOTE XXI. p. 96. [W].

THE *Tribuni Ærarii*, in their collective capacity, ſeem to correſpond with our public boards of commiſſioners, for managing the revenue. The clerks, appear to have been of ſome conſideration. They were *ordo honeſtus*; and the ſecretaries, to the ſeveral pretors, queſtors, and other great officers, were choſen by lot from among thoſe clerks.

NOTE XXII. p. 98. [X].

THE ſituation of the ſlaves, was indeed generally, intolerable. The ſeverity of the Roman maſters, makes their ſituation appear

pear truly deplorable to a free ſpirit. But, if we conſider the ſtate of ſlavery in our colonies, and the Weſt Indies; we ſhall find that the blacks of theſe countries, though treated with a rigor no leſs dreadful than the Roman, are generally attached to their maſters. They ſeem to conſider correction as juſtly their due; and even fancy themſelves neglected, if their maſters are remiſs in the way of diſcipline. We are told that the Ruſſian ladies formerly, imbibed ſimilar notions.

NOTE XXIII. p. 99. [Y].

THE PENATES, or Houſehold Gods, were twelve ſelected deities. They were called in public concerns, *Dii patrii*; the tutelar Gods of the republic; in private life, *Dii domeſtici:* Being the Gods, under whoſe immediate tutelage, men draw their firſt breath.

NOTE XXIV. p. 101. [Z].

SCIPIO AFRICANUS the elder, in the fifteenth year of the ſecond Punic war, conducted an army into Africa, and put Hannibal under the neceſſity of retiring from Italy, to cover Carthage from the depredations of Scipio's army. He acquired great glory by this expedition; and the addition of Africanus alſo, to his former name.

NOTE XXV. p. 101. [AA].

SCIPIO AFRICANUS the younger, was adopted by the former Scipio. He perſued the war againſt Carthage with ſuch vigor, not only to deſtroy the towns, but to extirpate the government, and for ever diſperſe the Carthaginian people. Hence, when we wiſh the entire ruin or complete demolition, of any nation or fortreſs, we ſay proverbially, " *Delenda eſt Carthago.*"

NOTE

NOTE XXVI. p. 101. [AB].

LUCIUS PAULUS EMILIUS, was victor in a great battle fought with Perſes, king of Macedon. Perſes, and his family, being brought priſoners to Rome, their perſons, and the immenſe ſpoils taken by Lucius Paulus, graced one of the moſt ſplendid triumphs ever ſeen in that city; which triumph had been decreed to Paulus, in honor of the victory.

NOTE XXVII. p. 101. [AC].

MARIUS prevailed over the Teutoni and the Ambrones, two nations of Gaul, and was alſo victorious over the Cimbri. Of thoſe three nations, two hundred thouſand are ſaid to have fallen in battle, and ninety thouſand to have been made priſoners. Marius was alſo Cicero's compatriot in a literal ſenſe, being a native of Arpinum. Hence a predilection always appears in his favor.

NOTE XXVIII. p. 101. [AD].

POMPEY's victories, and triumphs, are well known to almoſt every reader. This paſſage, refers to the glory Pompey was acquiring, in the Mithridatic war. Cicero, was ever jealous of Pompey's ſucceſſes; though gained in a courſe of action, that in no wiſe interfered with his own. Cicero, in his *De Officiis*, ſays, "*Fruſtra ſe triumphum tertium deportaturum fuiſſe, niſi meo in rem-*" *publicam beneficio ubi triumpharet, habiturus eſſet.*" In the preſent inſtance, Cicero mentions, and with no great modeſty, the ſuperior merit of his own conduct.

NOTE XXIX. p. 103. [AE].

WHEN Romulus ſeparated the people into two ranks, the patrician and the plebeian; he gave each plebeian the privilege

lege of chooſing from among the firſt order, any one he might think proper to nominate for his protector, or patron; by which laſt appellation, thoſe nominated, were afterward diſtinguiſhed. The plebeian, ſo chooſing, was called the client of the patron. Both were linked in one common tye of intereſts; which extended to almoſt every circumſtance of life. The patron, was to give protection and advice; the client, money and ſervice. In moſt caſes, the connexion was exceedingly advantageous to the patron's fortune. But Cicero ſeems to inſinuate, that clientſhips were otherwiſe in his caſe. On the contrary, that he was a loſer by this ſort of union; and that he did not wiſh to extend thoſe connexions.

NOTE XXX. p. 104. [AF].

THE debates being ended, the ſuffrages were collected. Thoſe of Silanus and Ceſar, are already known. The next ſuffrage required, was from Catulus Luctatius. He agreed with Silanus, and conſequently, diſſented from Ceſar. Cato, whoſe opinion was of great importance upon every queſtion, being next interrogated, concurred with Catulus. In delivering his ſuffrage, he went into ſome particulars of Ceſar's character; and drew ſuch concluſions, as Ceſar's ſubſequent conduct ſhewed to be founded in judgment, and deep penetration.

CESAR, finding a great majority of the ſenate againſt his own opinion, and in favor of Cicero's, concerning the execution of the priſoners, gave up that point; but endeavored to obtain a remiſſion of that part of the ſentence, which affected their fortunes. He appealed to the Tribunes, and ſeemed to be gaining on the favor of the ſenate. When Cicero, conſcious of the importance of his principal view, for which he had obtained a decree, " the " condemnation of the priſoners," was unwilling to riſk ſo ſubſtantial an acquiſition, for the trifling gratification of completing his

his triumph over every oppoſition. Making therefore a merit of neceſſity, he relinquiſhed with ſeeming complacency, the motion for confiſcating the priſoner's effects.

FLUSHED then, with the decree he had obtained, and fully acquainted with the true nature of his ſituation, which required an immediate uſe of the paſſions of the multitude, now giddy with rage, and inflamed by the ſtimulation of their leader; Cicero called upon the ſenate to follow him, and ruſhed out of the forum. The crowds without, he ordered to form a guard around them; and with the impetuoſity of a lion in perſuit of his rouſed prey, flew to the priſoners. Lentulus, who was confined on the Palatine mount, was the firſt object of his attack. Seizing Lentulus, he cauſed him to be conducted through the *via ſacra*, and by the forum, to the priſon; where he commanded the executioner, already prepared for the purpoſe, to begin the work of death. Lentulus having ſuffered, Cicero went next to the place where Cethegus was ſecured; and brought him in the ſame manner, to the ſame end. The executions of Statilius, Gabinius, and Ceparius, cloſed the ſcene.

THE people, even Cicero's party, who had been urged and precipitated by the heat and ſuddenneſs of the tranſaction, to give their aſſiſtance further than they intended; now beheld the proceeding with ſome degree of concern and regret. While thoſe, who rather favored the priſoners, not yet informed of the whole, grew clamorous. Being demanded of thoſe, what was the fate of the priſoners, Cicero, afraid to tell their poſitive fate, replied, "They did live." The night however, was concluded by illuminations and rejoicings; and no diſturbance enſued in the city, though a fray was expected. The executions in Rome, had an excellent effect upon the army without, encamped under Catiline. Numbers deſerted from the ſtandard of Catiline, and the remains being ſoon after attacked by Antony, were entirely defeated. Catiline was killed in the engagement.

THUS

THUS ended one of the boldeſt, and moſt wicked conſpiracies, that ever was formed in any age, or by any people; whether conſidered in regard to malignancy, or extent. The objects of the conſpiracy, were the ruin of the greateſt nation, and one of the beſt forms of government that ever exiſted; the maſſacre of many millions of people, every ſoul not engaged in the conſpiracy being doomed to the ſword; and the razing of every city, and every building, throughout the empire. So fraught was their plan with horror and cruelty, that the conſpirators forgot their own obvious intereſts. The entire execution of their projects, would have involved themſelves in the greateſt difficulties; and rendered the advantages they had formed in their own minds as a conſequence of their plan, abortive and nugatory.

CATILINE'S fate, is not only an excellent leſſon to perverted genius; but to modern ſtates likewiſe. Fine talents, applied to the purpoſes of debauchery and prodigality, are what every ſtate ſhould watch with a jealous eye. Great minds, in any caſe, are with difficulty reſtrained, by the common bounds of law, or reaſon. In caſes of indigence and diſtreſs, no fetters can ſhackle their proceedings. A judicious government, will always allure ſuch men to their ſervice. The government, may otherwiſe, be aſſured of perpetual oppoſition, or ſome more diſagreeable event. No ſum is too large, no offers too conſiderable, for a genius of that magnitude we are deſcribing. Such men are the wonder of their time, and no period ſcarcely produces more than one or two at moſt, of thoſe formidable ſtate-opponents. The greater their wants, and the ſtronger their propenſities to evil; the greater the neceſſity of ſoothing and quieting them. Should the rare inſtance of a vigorous mind influenced entirely by virtuous principles occur; ſuch principles are a ſecurity to the conſtitution of the ſtate. But nature, who works in common caſes with admirable ſkill, and with a tranquil and eaſy progreſs; generally deals otherwiſe by her extraordinary productions. A bold and vigorous genius, invariably leads to embroil the poſſeſſor, and

diſturb ſociety. Such powers, deſpiſe method, and ſpurn forms. An extraordinary genius therefore, will always be found the friend of government; or that government will be very juſtly ſuſpected of weakneſs and inſtability. The examples of vice in an uninformed ſtupid man, operate to the advantage of ſociety. Like thoſe nations who inebriate their ſlaves, and exhibit them to their children, as objects of an inverſe imitation; ſo folly and vice united, ſerve to deter, and not to allure. But vice, co-operating with extraordinary genius, is truly formidable indeed, to that ſtate of which it is a member.

NOTES

NOTES

OF THE

ORATION

IN DEFENCE OF

TITUS ANNIUS MILO.

NOTE I. page 115. [A].

THE Romans ſeem to have adopted the Jewiſh practice, of wearing ſackcloth and aſhes upon occaſions of contrition and humiliation. In trials upon criminal proceſs, the priſoner was uſually attired in a coarſe mourning habit, with diſhevelled hair, and other marks of neglected dreſs. Sometimes he bore ſuch marks of perſonal neglect toward himſelf, as were unpleaſant to the ordinary ſenſes of his audience. But Milo, preſuming this practice to imply a confeſſion of guilt, and repentance for a crime actually perpetrated, neither of which he admitted; appeared rather ſplendidly than ſordidly habited, and with every contempt for the cuſtom uſually adopted by perſons in his circumſtances. Cicero, fearing this deviation from an eſtabliſhed rule, might eventually operate to Milo's diſadvantage; endeavors to poſſeſs the judges with an idea, that his unuſual appearance was neither the conſequence of contempt nor audacity, but the reſult of that per-

fect indifference which innocence ſuggeſted. And he labors particularly, to enforce this idea, in the peroration of the ſpeech.

In this cuſtom of dreſs, the Romans appear to reverſe the idea annexed by our legiſlature, to the ſituation of every priſoner upon his trial. They ſeem to have preſumed his guilt from the moment of commitment, whereas we aſſert his innocence, till a verdict is given againſt him. Indeed the lenity of conſtruction in our judicial proceedings, is ſo very favorable to the priſoner, that he is not completely convicted even upon the verdict. For, till judgment is pronounced, he is neither attainted, nor deprived of the *jura hominum*; but capable in the interval, of exerciſing many legal acts, without the leaſt impeachment of diſability.

That the genius, integrity and independence univerſally aſcribed to the judges upon this trial, ſhould really be influenced to the diſfavor of the priſoner by the trifling incident of dreſs, appears rather extraordinary. Yet, ſeveral authors aſſert the fact, and particularly Plutarch; who ſays, IN VIT. CIC. "that this confidence "of Milo's was the principal cauſe of his condemnation."

NOTE II. p. 116. [B].

"*NON enim corona conſeſſus veſter cinctus eſt.*" Cicero means the citizens, who were generally admitted to public pleadings in the forum; and ſurrounded the judicatorial benches in a circular form. Inſtead of theſe "accuſtomed miniſters," Pompey upon this occaſion placed a conſiderable number of the military within the court. Cicero's ſpirits, always retrograde at the commencement of an oration; now therefore, required every means of encouragement to ſupport and enable him to proceed. Milo was ſo much aware of this circumſtance, that he warned Cicero ſtrongly againſt ſurrendering his powers to be the prey of his fears; and perceiving

ceiving him faulter in the beginning, perſuaded him to have a couch brought into court; whereon he might from time to time, repoſe himſelf, if approved by the judges. Every ſoothing art, and blandiſhment, is uſed in the courſe of this oration by Cicero, to ſoften and ſubdue the mind of Pompey; and to protect both orator and priſoner. The guards, and other implements of terror, Cicero ſuppoſes to be placed, as a protection to virtue, and to awe vice into decency. So far, therefore, from being diſpleaſed at their appearance, he pretends to rejoice in their preſence; while his whole frame was a quivering maſs, his very ſoul harrowed up with fear, and apprehenſions of violence. See PLUT. V. C.

NOTE III. p. 116. [C].

CICERO every where ſuggeſts, that Pompey was favorably diſpoſed toward the priſoner. The ſoldiers alſo, in conſequence, as being under Pompey's direction. And the citizens of Rome, in which number Cicero does not allow the Clodian mobs to rank, muſt neceſſarily he preſumes, be well affected to the cauſe he eſpouſes.

THE Clodian faction, Cicero calls the aſſociates of Clodius *in rapinis, et incendiis*. Piſo, and Gabinius, two of that faction, are ſuppoſed to have procured the conſular provinces to which they were appointed, by means of an agreement between them, and Clodius. The inſtances of incendiary were, firing the houſes of Cicero, and his brother Quintus; and burning the temple of the Nymphs. Cicero however, at his return from baniſhment was amply indemnified for this loſs; both in property and reputation. The ſenate cauſed his houſe to be rebuilt, with ſingular marks of honor, and with memorials referring to the cauſe, and the great authority that interfered. When Antony, in his Conſulate, ſome years after, threatened to force this houſe, and compel Cicero to quit it, if he failed to attend the ſenate; Cicero enhanced the turpitude of the

the menace, and the blackneſs of the deſign, by ſuppoſing the indignity to ſink deeper upon the honor of the ſenate, than his own.

NOTE IV. p. 117. [D].

THE Court had been ſitting ſeveral days; but this was the day fixed for the final determination of the cauſe. The day preceding, Munatius Plancus, tribune of the people; harangued them with a ſeditious oration; exhorting them to guard, with the moſt minute attention, againſt any effort of Milo, to eſcape.

NOTE V. p. 118. [E].

CICERO, in almoſt every oration, blends his own intereſts with thoſe of his clients. In the preſent oration, many of his arguments tend as much to the defence of his own conduct as that of Milo. But, no occaſion could better juſtify Cicero in ſuch an union of intereſts, than the preſent incident of Milo's trial.

MILO, was one of the great inſtruments of Cicero's recal from baniſhment. Lentulus and Metellus, then Conſuls, were the firſt who moved for this event in the ſenate; and Pompey, was the principal agent in carrying the queſtion through the houſe. But the diſturbances without doors were ſo violent, and the mobs at that time under the influence of Clodius, ſo numerous and ungovernable; that all the efforts of the ſenate in favor of Cicero, without ſome adequately-oppoſing power, muſt have proved ineffectual.

THIS power was formed by Milo. He had linked himſelf in the ſame chain of politics with Cicero; and was determined to ſtand or fall in his perſuits, upon the ſame ground. He therefore embarked his whole fortune, his connexions, intereſt, and perſon,

perſon, in ſupporting Cicero againſt the Clodians. To the hired gladiators of Clodius, Milo oppoſed others of the ſame profeſſion, ſelected for their ſuperior bravery, and real indifference about the cauſe in which they engaged. To the parties of rabble, ſtimulated by the riot, profuſion, and bribery of Clodius' agents; Milo preſented yet more numerous parties, equally violent and licentious, but ſtill better paid. In ſhort, nothing but a man of Milo's fortune, reſolution and intrepidity, could have ſtopped the rage of the Clodians; ſecured an unbiaſſed deciſion from the ſenate; and reſtored Cicero to his native land.

CICERO's intermixture therefore, of his own affairs; his interweaving their intereſts, in one joint concern; and the hearty, anxious manner, in which he perſues his defence of Milo; are circumſtances, not only juſtifiable and laudable, but truly grateful. Shall we, ſays Cicero, "*Spe ampliſſimorum præmiorum ad* "*rempublicam adducti, metu crudeliſſimorum ſuppliciorum carere non* "*poſſumus.*"

NOTE VI. p. 119. [F].

QUINTUS POMPEIUS, and Munatius Plancus, the Tribunes, remitted no pains, in perſuing Milo to deſtruction. They urged an obſolete caſe, where a homicide was adjudged to death. Cicero oppoſes this, with many contrary precedents. And he produces many caſes where that principle was not allowed to operate in any degree whatever.

NOTE VII. p. 120. [G].

THE combat between three deſcendents of the houſe of Horatius and three of the Curiatii, in which, all the latter, and two of the Horatii were ſlain; is an incident too well known in hiſtory, to render a detail of the circumſtances neceſſary. It will ſuffice to mention,

mention, that the ſurviving Horatius, in his return to Rome, was met by his ſiſter, almoſt frantic with grief; who demanded vengeance upon him for the death of her huſband, one of the Curiatii, killed in the combat. The ſoul of Horatius being fired by the conſciouſneſs of glory recently acquired, expected univerſal gratulations of joy and triumph. Unable therefore to brook the ill-timed interference of his ſiſter, he killed her upon the ſpot. Being ſeized, and delivered to the event of the law, which was death; he appealed to the people, from whom he received an ample and immediate pardon.

NOTE VIII. p. 120. [H].

THE Comitia was an aſſembly, or rather aſſembling of the people, to elect magiſtrates, enact laws, and other public acts, The Comitia was ſometimes held in the ſtreets of Rome, near the forum, the courts, or ſenate houſe; generally in the Campus Martius; but, almoſt without an exception, *ſub dio*. The number of legal conſtituents, will eaſily explain the neceſſity of aſſembling in a ſpacious place.

NOTE IX. p. 120. [I].

THE popularity of Tiberius Gracchus ſo far excited the envy and jealouſy of his compatriots, that he was killed by other ſenators, upon pretence of being too free with his largeſſes, and favoring royalty. Mucius Scevola, the Conſul, was called upon by the ſenate, to arm the republic againſt Tiberius. But Scevola, being otherwiſe diſpoſed, Publius Scipio Naſica, then *Pontifex Maximus*, aroſe, and offered himſelf their leader. "*Qui "ſalvam rempublicam eſſe volunt, me ſequantur.*" This was followed by an attack of the ſenators upon Tiberius Gracchus, with deſks and benches; by the ſplinters of which, he was mortally wounded. Caius Gracchus his brother, was killed, upon ſome ſimilar pretences, about twelve

twelve years after. They were the ſons of Scipio the Cenſor, who erected the Capitolinian gate.

SPURIUS MELIUS was a Roman knight. In a time of famine he diſtributed large quantities of corn among the people, at his own expence; which was conſtrued into a deſign of acquiring unlawful power. He was thereupon, killed by Servilius Ahala, maſter of the horſe to Quintus Cincinnatus, Dictator, in the year three hundred and fifteen, U. C.

SATURNINUS, heading a mob, which was his duty, being *Tribunus Plebis*; Caius Marius killed him, by order of the ſenate.

NOTE X. p. 120. [K].

CICERO here, refers to Oreſtes, who ſlew his mother Clytemneſtra, to revenge the death of his father, whom ſhe had murdered. Oreſtes was tried by the court of Areopagus; condemned by ſixteen, and abſolved by fifteen * *calculi*, or ſuffrages. But, when the proceedings of the court were laid before Minerva, the goddeſs acquitted him.

NOTE XI. p. 120. [L].

THE law of the twelve tables was an abridgment of the Athenian code, collected by the Decemviri, ſent to Athens for that purpoſe. According to Macrobius, in Saturn. a clauſe was inſerted in that law; " *Si nox furtum factum ſit, ſi in eo aliquis cc-*
" *cidit, jure cæſus eſto.*"

* " *Calculi*," were black and white ſtones; and conveyed the votes of the judges to the ballot. The black, were condemning; the white, abſolving ſuffrages. Hence, " *albus lapis*," fortunate, or lucky; and ſo reverſely, of the black.

NOTE XII. p. 121. [M].

THE name of the ſoldier Cicero here alludes to, was Trebonius. The tribune he killed was Caius Luſius, or Luſcius, the nephew of Caius Marius. The eminent juſtice evinced by Caius Marius, in acquitting Trebonius, was the means of facilitating, or rather procuring, the third acceſſion of Marius to the Conſulate.

WHEN we advert to the general profligacy of manners then raging throughout the Roman empire, and conſider the particular propenſity of every rank of people to this vice; the conduct of Marius and Trebonius, will ever be held in great veneration. To be free from the vice, was, at that time, a virtue. To deſpiſe, contemn, and dare to puniſh ſuch a favorite crime, even by one of Marius' exalted ſituation, a rare inſtance of honor and magnanimity. In proportion therefore to the virtue and bravery of Trebonius, was the merit of Carius Marius; who rewarded ſo rare an exertion of thoſe qualities.

NOTE XIII. p. 122. [N].

CICERO, now alludes to the *Lex Cornelia, de ſicariis*, promulged by Cornelius Sylla, the Dictator. This law was eſtabliſhed, to puniſh murder capitally; and, alſo, the carrying a weapon with a deſign to murder. Cicero endeavors to diſcharge his client, of being in any ſhape, within the laſt of theſe predicaments. "Milo carried a weapon," ſays Cicero; "but for the very re-"verſe purpoſe of that deſcribed in the *Lex Cornelia*. Milo bore "his weapon, not to kill, nor even to annoy; but, for his own "defence merely."

NOTE XIV. p. 122. [O].

CICERO, had ſome ſevere, and unjuſt prejudications to combat, in Milo's caſe. One of the decrees of the ſenate, was very nearly

nearly equivalent to a previous condemnation. "*Publii Clodii* "*cædam contra rempublicam eſſe factam judicaſſe.*" The counſel for the proſecution puſhed this argument as a token of the ſenate's diſpoſition being inimical toward Milo. Cicero endeavors to parry this ſtroke, by referring to ſome intervening reſolves of the ſenate. But, innumerable circumſtances previous to the trial, and during the courſe of it, clearly demonſtrate; that Pompey, and many members of the ſenate, were adverſe to the cauſe of Milo.

NOTE XV. p. 123. [P].

"*AMBUSTI TRIBUNI*, meaning the Tribune Munatius Plancus. *Ambuſtus*, becauſe he continued haranguing the people, and exciting them to violence; during the time they were burning the body of Clodius, and firing the forum. Rendering *Ambuſtus*, "SALAMANDRINE" is a licenſe. That licenſe however, or an expungement of the paſſage, was abſolutely neceſſary.

NOTE XVI. p. 123. [Q].

THE Roman juriſprudence, at this time, was in a very flouriſhing ſtate; and the inſtitutions for law-proceedings, were ſo extenſively framed, to be fully competent to every caſe. Cicero therefore, ventures to expreſs himſelf very ſtrongly againſt the neceſſity, and freely againſt the legality, of the court now ſpecially inſtituted by Pompey. The Pretor poſſeſſed a juriſdiction, extending to criminal and civil cauſes. When Publius Clodius was accuſed of an inceſtuous rape, though a motion was made for an extraordinary commiſſion to try him; that motion was over-ruled, and juſtice perſued in the ordinary way. The inſtances of an extrajudicial mode of proceeding were ſo few, and in ſuch particular caſes; not to be fairly adduced as precedents in this cauſe.

HAVING had occaſion to mention the inceſtuous rape of Clodius, and, the incident itſelf being frequently referred to by Cicero; a detail of the event, may not here be improperly introduced.

AMONG the Romans, every carnal offence interfering with religious rites, was claſſed under the denomination of inceſt. Whereas, with us, inceſt ſignifies nothing more, than a particular kind of correſpondence with ſome relation of the other ſex, within a certain degree of conſanguinity. Clodius however, according to the firſt definition, was accuſed of the crime of inceſt.

AT the ſacrifices of the *Bona Dea*, a goddeſs ſacred to chaſtity, though patroneſs of every incident that can be poſſibly deviſed by women, for their own excluſive pleaſures; Clodius found the means of introducing himſelf in the diſguiſe of a female habit. Pompeia, the wife of Julius Ceſar, was the lady, to whoſe ſhrine, his particular offerings were ſuppoſed to be directed. But, being detected by ſome of the female officers, attendant on the ſolemn rites of the *Bona Dea*, he was arraigned for the crime. His defence, was an *alibi*. Yet though the falſhood of the *alibi*, was clearly proved, by means of the vigilance and addreſs of Cicero; Clodius, by bribing the judges, procured a ſentence of acquittal. Pompeia, the lady on whoſe account he undertook the enterprize; though univerſally allowed to be innocent on that occaſion; was repudiated by Julius Ceſar, upon pretence, "That "Ceſar's wife ſhould not be ſuſpected."

NOTE XVII. p. 124. [R].

THE Appian way, was the road from Rome, to the city of Brunduſium. Appius Clodius Cecus, anceſtor of Publius Clodius, paved that part of the road at his own expence, which led

led from the *Porta Capena*, to the city of Capua. Thence called the *Via Appia*.

NOTE XVIII. p. 125. [S].

AT Rome, ballots were taken by letters. The abſolving judges, put the letter A into an urn; the condemning, the letter C. Hence A is ſtiled, *litera ſalutaris*; C, *litera triſtis*.

NOTE XIX. p. 126. [T].

CICERO, produces ſeveral inſtances of murder, committed under circumſtances of great import to the public; yet no new court of commiſſion was inſtituted in any of thoſe inſtances. Marcus Livius Druſus, a man of high extraction, great influence, and very powerful elocution; was deſirous of reſtoring the ſenate, to the luſtre of its priſtine dignity, which had been greatly ſullied by the depredations of the equeſtrian order, under the ſanction of Tiberius Gracchus. Druſus, tampered with Tiberius Gracchus and his followers, in order, the more effectually, to compaſs his deſigns. This, neceſſarily, induced profeſſions of attachment, and good wiſhes toward the true Latii; and, offers of ſupporting them to the prejudice of denizated citizens, and their deſcendents. But, being detected in the inſincerity of his profeſſions, before he had accompliſhed his views, and ſecured himſelf; a mob entered his houſe, and put him to death. Publius Africanus Minor alſo, was found dead in his apartments. Oppoſing the Triumviri, conjointly with Caius Gracchus, Fulvius, and Carbo, upon a propoſition for dividing the lands; was, univerſally believed, to have brought this fate upon him. No enquiry however, was made of murder, in any of theſe caſes.

NOTE XX. p. 127. [U].

THE prince Tigranes, being a priſoner in the cuſtody of Valerius, a Roman knight; Clodius, at an entertainment, begged his releaſe from Flavius. This was inſtantly granted, and the prince put on board a veſſel to tranſport him to Aſia; but, the veſſel was driven into port again, by a ſtorm. Pompey, hereupon, reclaimed Tigranes, as a priſoner; when Sextus Clodius conducting him, according to Pompey's order, was attacked by Flavius, who thought his honor concerned in reſcuing the Prince. An engagement enſued between the two parties on the Appian way, about four miles from Rome; in which Marcus Papirius, a Roman knight, was killed.

NOTE XXI. p. 127. [W].

NOTHING can be more commodious for Cicero's purpoſes, than the ſtory of the dagger. The orator hereby acquired a very convenient opportunity of enlarging upon the character of Pompey; though Cicero appears not to have made a judicious uſe of the opportunity. He ſeems to have introduced the ſtory with many circumſtances that appear ironical, and in a ſtile inclining to the burleſque; though in a high ſtrain of panegyric. Other paſſages upon different occaſions, where Pompey is mentioned in this oration, juſtify the opinion; and demonſtrate at the ſame time, that Cicero's caution was not the inſeparable companion of his eloquence.

NOTE XXII. p. 129. [X].

CICERO, having harped upon the ſtrings of adulation, and tried every note of its compaſs, in order to ſound the praiſes of Pompey; proceeds to do as much, in honor of the judges. He touches this ſubject, with a truly delicate and maſterly hand; and

and concludes the paſſage with a compliment, very juſtly their due, and his own, and not ſtrained with conceit: "*Ex quibus "- ille cum optimos viros legeret, non potuit legere non ſtudioſos mei.*"

NOTE XXIII. p. 131. [Y].

THE oppoſing candidates were Publius Plautius Hypſeus, and Quintus Metellus Scipio. They improved their intereſts, with extenſive largeſſes to the people; and, enforced their pretenſions, with a conſiderable body of armed men. The bait thrown out by Clodius for the Pretorſhip, was the inſtitution of a new colony. This was a meaſure always of great popularity.

NOTE XXIV. p. 131. [Z].

THE Roman people were, originally, divided into three claſſes; whence the term, "Tribes." By a very rapid increaſe of population, they came at length, to be formed into thirty-five diviſions, or tribes. At every *Comitia*, or public election, each tribe was ſegregated, by a particular incloſure. Clodius endeavored to oppoſe Metellus, or Hypſeus, to Milo; ſo that one of the former two might be returned Conſul, to the excluſion of the latter.

NOTE XXV. p. 132. [AA].

PERSONS of great landed property, entertained to the number of ten thouſand, or more, of thoſe people whom Cicero calls *ſervos agreſtes, et barbaros*. Cicero might juſtly arraign the policy of the Roman government, in ſuffering ſuch a force to be maintained by an individual. Europe, did not diſcover the impolicy of allowing individuals to ſupport an armed force for their own particular defence, till fifteen centuries after this period. Since this reform in politics, the reſpective nations of Europe have been much leſs ſubject to internal commotions.

NOTE XXVI. p. 132. [AB].

THE Apennines, are a chain of mountains, that run through the middle of Italy proper. Hence, they are called, and not unaptly, " The Back Bone" of Italy.

NOTE XXVII. p. 132. [AC].

THE declaration here mentioned, if really made by Clodius, is one of the ſtrongeſt circumſtantial proofs, that could have been offered in favor of Milo. Yet, notwithſtanding Cicero refers to Favonius, as one who heard Clodius make the declaration, and, to Cato, as one to whom Favonius immediately related it; we may fairly doubt, whether Cicero retailed this circumſtance with a ſtrict regard to truth. Clodius, might probably, utter ſomething vindictive againſt Milo, might ſay that one of them muſt ſoon fall; or, ſpeak of Milo generally, as an enemy. But there are two reaſons, which ſeem to indicate,, that the fact was not exactly as Cicero ſtates. Firſt, becauſe the evidence againſt Clodius would have been ſo clear, had he ſurvived after killing Milo; that a man of Clodius' judgment, and long training in politics, cannot be ſuppoſed to have made ſuch a declaration publicly. And ſecondly, had the truth been confirmed by Cato, and Favonius; the judges could not have imputed the murder, or at leaſt the deſign of murder, to Milo.

NOTE XXVIII. p. 132. [AD].

LANUVIUM, was a municipal town, diſtant about fifteen Engliſh miles from Rome. There ſtood the celebrated temple of *Juno Soſpita*, built by Diomedes, who ſettled in Italy after his return from the Trojan war. The *Flamen*, or high prieſt of the temple, was annually appointed by the Dictator of the town; and the election and inauguration, were attended with circumſtances

ſtances of great pomp and ſolemnity. Milo was the patron and Dictator of Lanuvium.

THE word *Flamen* was a general term for prieſt. Of which there were ſeveral ſpecies; as *Flamen Dialis*, *Flamen Martialis*, *Flamen Quirinalis*, *Flamen Junonis*. The word *Flamen* is derived, according to Voſſius, from *Flammeum*, flame-color; that being the color of the ſacerdotal *head covering*, or hat. Others, *ſpin* out their enquiries, till they find a *thread* of flame-color, with which the prieſts uſed to tie the covering of their heads in windy ſeaſons. The former derivation of Voſſius, ſeems the moſt feaſible, having a corroborating circumſtance to ſupport it. At this day, the ſovereign Pontiff and the Cardinals wear ſcarlet hats, as a badge of high ſacerdotal diſtinction.

NOTE XXIX. p. 133. [AE].

"*CALCEOS, et veſtimenta, mutavit.*" A ſenator was diſtinguiſhed by his ſhoes; which were of a peculiar form, and richly ornamented with gold. The ſenatorial robe, was large and flowing, compared with the *penula*, or *veſtimentum itinerarium*; which was a cloſe coat, or cloke, worn by ſenators and others in travelling, or in diſguiſe.

NOTE XXX. p. 133. [AF].

"*NULLIS Græcis Comitibus.*" Men of rank, and fortune, among the Romans, generally entertained a number of Greeks, principally maſters of the ſciences, and artiſts; who, not only reſided in their houſes, but moved alſo with their train, whereſoever they journeyed, or however ſhort the time they continued abroad. The Greeks, at that period, were as eſteemed and admired by the Romans, for philoſophy and the fine arts; as the French and Italian nations are at preſent in England, for

dancing and muſic. The Romans found their advantage, in this free and generous intercourſe. A fine taſte in literature, and ſome knowledge in the arts, reſulted from their liberality. The art of ſculpture, which however, never roſe to a high degree of excellence except in Greece; gained, by means of the Greek artiſts, at leaſt a decent footing in the Roman empire. Painting indeed, was an art from which the antient Romans never derived any conſiderable advantage. The few pieces which remain, ſerve only to ſhew, that the Romans were totally devoid of taſte and genius, in this art. The *freſco* paintings in the ruins of Pompeia, and other ancient Roman cities, are in general, ſo wretchedly executed, to fall below the dignity of criticiſm. But, the improvements in Roman literature, which were chiefly owing to the introduction of men of genius from Greece, teſtify beyond a doubt, how much the Romans, as well as univerſal poſterity have benefited, by that liberal intercourſe we have already mentioned. This intercourſe with Greece, was the principle which formed the taſte of that, and the riſing age of Rome, for undertakings of the higheſt nature. To this we owe, the glorious atchievements of the Auguſtan age. Virgil, Horace, Ovid, and the circle of geniuſſes, which that, and the few ſucceeding eras produced, aroſe from that generous ſpirit of entertainment and encouragement, which began to prevail in Cicero's days. To this ſpirit, we are indebted for the great effects of Cicero's genius. That, though ſupreme by nature, was pointed and directed to thoſe great perſuits, which eſtabliſhed his immortal fame, by the means of a Greek education, and Grecian aſſociates.

THE lovers of literature, and the admirers of the fine arts, muſt derive great pleaſure, in ſeeing a taſte for the ſciences, and an unlimited degree of patronage to the profeſſors, the reigning genius of the preſent age. The acceſſion of his preſent majeſty was the auſpicious dawning, that drew aſide the mantle, from the neglected, and almoſt-expiring ſciences. His foſtering hand raiſed them from

from a drooping and languid, to a vigorous and flouriſhing ſtate: While his example animated thoſe, whoſe rank and fortunes correſpond with the ſame generous principles, to join in the noble perſuit. What the reſult has been, a very inconſiderable acquaintance with the preſent ſtate of the arts, will ſufficiently demonſtrate.

NOTE XXXI. p. 133. [AG].

THAT SAVOIR VIVRES, ſuch as Milo and Clodius undoubtedly were, ſhould ſcarcely ever travel without their wives, muſt ſeem extraordinary to the preſent age. But the fact appears, not only from Cicero, in numberleſs paſſages of this oration; but, from the concurring teſtimony of cotemporary authors. The aſtoniſhment however, will be ſomewhat diminiſhed, when we recollect that the wives of thoſe days, were very complaiſant and obſequious, to the pleaſures of their huſbands. Inſtead of refuſing all intercourſe with their miſtreſſes, the Roman wives careſſed and courted them; and even joined in their amuſements. The Roman wives ſeem indeed, to have truſted to the return of paſſion for themſelves, when their huſbands had experienced ſatiety elſewhere; and, ſome authors have gravely told us, they enjoyed more of the conjugal intercourſe, than wives, whoſe huſbands undeviatingly perſue the true line of duty. Grant this to be true. Yet, where was that ſupreme happineſs, ariſing from a conſciouſneſs of truth, and a faithful attachment to the marriage vow? Where, the delights of a pure and undivided heart, of genuine, unadulterated paſſion; ſpent upon an object, who returns all with reciprocal feelings of delight to herſelf?—Not to be found among the Romans.

NOTE XXXII. p. 133. [AH].

THE Romans, divided the time the ſun remained above the horizon, into twelve parts, or hours. Theſe conſequently,

were longer or ſhorter, as the ſeaſon of the year prevailed. By the latitude and longitude of Lanuvium, the eleventh hour, of the fourteenth day of the kalends of february, correſponds with a quarter paſt three in the afternoon; and, about an hour before ſun ſet, in the meridian of London.

NOTE XXXIII. p. 134. [AI].

THERE is great confuſion in the relation of the engagement between Milo and Clodius; and ſtrong appearance of the account being dreſſed by Cicero. All parties agree, that Milo was accompanied by his wife, and ſeveral of her train; beſide many youths, and defenceleſs perſons. But theſe alſo admit, that the number of armed and able perſons in Milo's train, greatly exceeded the number of thoſe collected by Clodius. Had Clodius deſigned to attack Milo, might he not, as the fray began near his own houſe, have poured in ſuch a number of ſervants and workmen, as would have infallibly inſured ſucceſs to the attack; as Cicero, ſpeaking of Clodius' extravagance, ſays he had a thouſand workmen employed on his buildings? If the attack was premeditate on the part of Clodius, why were they not ready? They might have appeared, without ſuſpicion of being illegally aſſembled; for Cicero tells us they uſually worked on the ſpot, which Milo was to paſs.

In reſpect to the exact time of Milo's journey being known to Clodius, how does that appear? Clodius might, and undoubtedly did know, that Milo muſt be preſent at Lanuvium, on the twentieth of january; but, he could not without the gift of divination, know what time of the preceding day, or if at all on that day, Milo would paſs over Clodius' lands. Milo might have performed the journey in the night, or in the morning of the twentieth of january, the diſtance from Lanuvium, being little more than two hours journey. But, granting that Clodius knew exactly the time

Milo

Milo would appear upon his grounds; muſt Clodius neceſſarily attack him, becauſe he knew the time of his coming? Milo knew when, and where to find Clodius. He was apprized that Clodius was at his villa; and the preciſe time of finding him, depended upon Milo's pleaſure, when he would chooſe to arrive there. Milo beſide, was armed beyond his uſual degree of attendants. Whereas Clodius, who had a thouſand men, or more, conſtantly at his command, upon the ſpot; did not make uſe of a fortieth part of that ſtrength. Theſe circumſtances point out, with tolerable certainty, *uter utri inſidias fecerit?*

NOTE XXXIV. p. 137. [AK].

SEXTUS CLODIUS, was the kinſman of Publius Clodius, and his purveyor in politics. Nor did he drop the office, even after Publius Clodius' death; for he uſed his body as an inſtrument of riot, and ſedition, bearing it to the courts, where both were conſumed together. Cicero, rallies Sextus with infinite humor, and with ſome ſevere ſtrokes of irony, in this paſſage.

NOTE XXXV. p. 137. [AL].

THE *Palladium* of Rome, was an image of Pallas; which in the reign of Priam, fell from Heaven into the Trojan dominions. The Apollonian oracle, being conſulted about this event, anſwered; that while Troy contained this image, the city ſhould be ſafe. Hence the word *Palladium*, for ſafety. During the ſiege of Troy, the *Palladium* was carried into Greece, either by Ulyſſes or Diomedes; and from Greece conveyed to Italy, at the requeſt of Eneas. Whatever might be the means of tranſportation from Troy to Rome, there can be *no doubt* of the fact. For the *Palladium* being depoſited in the Temple of Veſta, Metellus, *Pontifex Maximus*, ſaved it from the flames, which conſumed that Temple.

NOTE XXXVI. p. 138. [AM].

THE funerals of the Roman nobility, were conducted with great ſolemnity; and charged with numberleſs ceremonies, eſtabliſhed by religious and political decrees.

THE waxen images of a deceaſed perſon's anceſtors, which uſually adorn d his hall, or porch, were, on this occaſion, carried in the proceſſion of the body. One of the relations of the deceaſed, was injoined to pronounce his panegyric, or funeral oration. The trophies and atchievements of the defunct, and many other incidents of pageantry, were alſo diſplayed. When the proceſſion arrived at the place appointed for the laſt funeral duties, the body was laid on a pile of wood, prepared for the purpoſe. The wood was of amomum, balm, ſome ſweet-ſcented ſhrub, or aromatic tree, and conſecrated for the ceremony. When the body was conſumed, the aſhes were depoſited in an urn; and the ſpot on which the ſcene was exhibited, generally honored with a monument of the deceaſed.

SEXTUS CLODIUS, violated moſt of theſe rites. Oration, there was none. Image, none. The wood, of elm plank, or whatever common ſtuff, the deſks, benches, and tables of the courts, might be compoſed. The body, not half conſumed. All theſe omiſſions and perverſions, which aroſe clearly, from the exigency of the caſe; Cicero chooſes to attribute to profanity, and a contempt of the deceaſed, in Sextus Clodius.

NOTE XXXVII. p. 140. [AN].

WHEN Clodius prevailed in the conteſt with Cicero, Cicero knowing the ſtrength of his adverſary, immediately propoſed for himſelf, a voluntary baniſhment. He firſt, however, ſupplicated the people, to try their depoſitions in his favor Clodius, with his mobs, perſued him through the ſtreets; and inſulted him, in

in a very groſs manner. The friends of Cicero, adviſed him to try his ſucceſs at arms. Cicero, could ſupplicate, could beg, but, he could not fight. Some of his friends, attempted to ſupply this deficiency. A fray enſued, between the Clodians and Ciceronians, in which Hortenſius was wounded, Vibienus, and others, killed.

NOTE XXXVIII. p. 141. [AO].

THE Regia, Royal Palace, or *Palatium*, ſo called from the kings of Rome having fixed their reſidence on that hill. The hill itſelf, thence alſo, named the *Palatium*, or Palatine hill. In Germany, England, and other modern nations of Europe, at this time, the officers of emperors, and kings' palaces, are called Counts Palatine.

NOTE XXXIX. p. 141. [AP].

IN an attack on Milo's houſe by the Clodians, Milo with the aid of his friends, repulſed them; and, had not Clodius concealed himſelf in the flight, his fate moſt likely, would have been ſome ſhort time anticipated.

MILO, and Publius Sextius, were joint Tribunes the year after Clodius' Tribuneſhip. Cicero, in his oration for Sextius, ſays, that Sextius received twenty wounds; and eſcaped with life, only by feigning himſelf dead. This attack, was a chaſtiſement dealt to Sextius, for voting the return of Cicero from exile.

QUINTUS FABRICIUS, a tribune at the ſame time with Milo and Sextius, had given his vote alſo for Cicero's return; which occaſioned a treatment nearly ſimilar to that of Sextius.

NOTE

NOTE XL. p. 141. [AQ].

THE popularity Cicero acquired by the ſuppreſſion of the Catilinian conſpiracy, alarmed the Triumvirate, Pompey, Craſſus, and Ceſar; who then, all joined moſt heartily in oppoſing Cicero. In a few years Cicero's popularity ſubſided, and the Clodian faction roſe, upon its ruins, to a degree more alarming to the Triumvirate, than Cicero's former popularity. Pompey, in the beginning, was glad to encourage this faction, as a counterpoiſe to Cicero's power; and for that reaſon, ſuffered Clodius to procure the baniſhment of Cicero, which Pompey could eaſily have prevented. The heights however, to which Clodius afterward aſpired, made Pompey as deſirous of bringing Cicero back, as he had before been willing to baniſh him; and, he therefore, heartily joined the ſenators and knights, who by this time were almoſt unanimous in demanding Cicero. And therefore, though the ſenate had decreed ſevere penalties againſt a Tribune, Pretor, or perſon of any condition whatever, who ſhould propoſe Cicero's recal; Pompey, moved the ſenate, for that purpoſe. To qualify the circumſtance, he previouſly procured an addreſs or decree, of the inhabitants of Capua, for Cicero's recal. Legates alſo, from all parts of Italy, came to Pompey, with the ſame kind of addreſſes; and he then applied to the ſenate, for the grant of their demands. The conſequence was an unanimous decree, of that order, the vote of Clodius excepted, for the reſtoration of Cicero to his native country; with an exemption from every penalty annexed to his ſentence.

NOTE XLI. p. 142. [AR].

POMPEY, upon a former occaſion, continued ſpeaking near ſix hours, in favor of Milo; amidſt the ſhouts, hiſſes, groans, and other inſults raiſed by the Clodian faction. Nor, could the utmoſt efforts of their malice, ſtop him in the proſecution of his ſpeech.

NOTE

NOTE XLII. p. 144. [AS].

" RUMOREM, *fabulam fictam, falſam perhorreſcimus : ora omnium*
" *atque oculos intuemur. Nihil eſt enim tam molle tam tenerum*
" *tam aut fragile, aut flexibile, quam voluntas, erga nos ſenſuſque civi-*
" *um: qui non modo improbitati iraſcuntur candidatorum, ſed etiam in*
" *recte factis ſæpe faſtidiunt.*" This deſcription would ſerve extremely well, for the ſituation of candidates at conteſted parliamentary elections in England. No incidents of a man's life, that can in the remoteſt degree, agitate the breath of ſcandal, are on ſuch an occaſion, neglected. If ſuch be wanting, invention ſupplies the oppoſing candidate with others; which never exiſted, but in the imagination of the opponent. A man's virtues are depreciated, or perverted into vices; and, in ſhort, every candidate is a devil, in the painting of his adverſary. The Moderns, however, derive this conſolation from Cicero's account; that they are no worſe, in that particular, than the nations of antiquity.

NOTE XLIII. p. 145. [AT].

" EUM *nihil delectaret, quod per naturam fas eſſet.*" This alludes to a circumſtance, ſaid to have paſſed between Clodius and his ſiſter; in which the law of conſanguineous intercourſe, was violated.

NOTE XLIV. p. 145. [AU].

ACCORDING to Cicero, Cato was a judge, upon the ſame principle, that the late Earl of Chatham made Lord Clive, a general: *Divina ſorte*, by divine intendment, or as the Earl much better expreſſed; " Heaven-born."

NOTE XLV. p. 148. [AW].

THE Roman civil law required, in all poſſible caſes, ſeven ſubſcribing witneſſes to a will. By the expreſſion, "*teſtamentum* "*ſimul obſignavi, cum Clodio*;" the heir ſeems to have been alſo required to ſubſcribe or teſtify the will; to qualify himſelf for the inheritance.

WITH us, an heir, or legatee, cannot be a witneſs, and in moſt caſes, the teſtator chooſes to keep his teſtamentary deſign totally unknown to the legatee. Hence, in this country, ariſe many frauds, by the ſuppreſſion of wills, to the prejudice of the heir, or legatee, who is ignorant of his legal advantage. This, and many other looſe principles, which direct the proceedings of teſtamentary law in England require a reviſion, which the legiſlature at ſome future period, may perhaps afford, greatly to the benefit of the ſubject.

NOTE XLVI. p. 149. [AX].

CICERO concludes, that Clodius muſt have ſet out with a deſign to kill Milo, becauſe Clodius left his villa, diſtant ten or twelve miles from Rome, at half paſt three in the afternoon, in the month of january. This was ſurely a very reaſonable hour; and ſo much remaining light, as would have nearly, if not quite, accompanied him to Rome.

SEVERAL circumſtances have been already mentioned, which ſeem to indicate that the attack was originally deſigned by Milo; which Cicero either looſely defends, or omits to notice. Among thoſe he omits, is one incident which ſpeaks but too plainly: "Milo's or-"dering Clodius to be dragged from a houſe, when wounded; and "directing him to be murdered in cold blood."

HAD the buſineſs ended in the field, the innocence of both, in reſpect

reſpect to an original intention of murder, might be admitted. But, the fact juſt related, muſt have influenced the judges to find Milo guilty; and will no doubt, in every man's opinion, fix the guilt upon Milo.

NOTE XLVII. p. 152. [AY].

CICERO, here touches Clodius' character, in a very tender point. When Catiline's forces were encamped at Feſula in Tuſcany, under the command of Manlius, Clodius had once deſigned to join them in the conſpiracy; and actually ſet out upon ſuch an expedition. But, changing his opinion upon the road, he returned to Rome, and at that time, unſuſpected of the deſign.

NOTE XLVIII. p. 153. [AZ].

MILO, freed twelve of his ſlaves immediately after the conflict with Clodius, for their gallant behavior upon that occaſion. The ceremony of manumitting a ſlave, was performed by the maſter's laying his hand on the head, or ſome part of the ſlave's body, uſing theſe words, "*Hunc hominem liberum eſſe volo.*" Not only the merits of Milo's ſlaves, in their gallant defence of their maſter, but, their ſafety, equally with his own, required the manumiſſion of thoſe ſlaves. When freed, they were exempt from the queſtion by torture, and amenable only in the common forms of juſtice, like every other Roman citizen. The ſubſequent ironical examination of Clodius' ſervants, by Appius, his kinſman; ſhews how eaſily this law, regarding the queſtion to ſlaves, might be abuſed. According to Cicero, no ſlave could be a legal witneſs againſt his maſter, but in a caſe of inceſt. And Cicero gives the reaſon for the exemption, in that particular caſe.

NOTE XLIX. p. 153. [BA].

THE rack, or engine of torture, moſt in uſe among the Romans, for the purpoſe of extracting a true confeſſion from malefactors and ſlaves; was called *equuleus*. It was made of wood, and in the form of a horſe; but conſtructed to open and cloſe with ſcrews, in ſuch a manner to admit and turn the body, at the pleaſure of thoſe who governed the engine.

NOTE L. p. 155. [BB].

"ARCÆ," were little cells, where priſoners, deſigned for the torture, were ſeparately lodged. The lawyers, with great truth no doubt, called them "*malæ manſiones*." The ſpecies of torture were various, according to the crimes. Fire, the wheel, the whip, the wooden-horſe, and preſſure.

NOTE LI. p. 156. [BC].

IN ſome caſes, judgment was finally given by the people; as, in the cauſe of Rabirius, on a charge of treaſon. In more exigent, and general caſes; for example, the conſpiracy of Catiline, the ſenate judged. And again, when the extraordinary delegation of "*Ne quid detrimenti reſpublica caperet*," was delivered to the Conſul, or Dictator; then the power of judging and ſentencing was veſted in the Conſul or Dictator, if he choſe to act ſolely upon that authority. Yet, neither Cicero in Catiline's caſe, nor Pompey in Milo's, though fully inveſted with that extraordinary power; choſe to exerciſe it independently of the ſenate.

NOTE LII. p. 158. [BD].

THE *pilum* or javelin, was a military weapon uſed by the Roman infantry, about ſeven feet long, headed with a pointed iron,

iron, weighing about nine ounces, and very much reſembling our pikes. They had others ſimilarly conſtructed, about half that length, and proportionably headed; very much like our ſheriff's officers javelins. The Romans were particularly expert, in throwing theſe weapons.

NOTE LIII. p. 158. [BE].

THE paſſages through Rome were of three kinds. The *vici*, open for carriages, which correſpond with our leading ſtreets; the *fundulæ*, reſembling our courts, being areas open on one ſide only; and the *angiportæ*, equivalent to our narrow lanes, or allies; being long and open, but not ſufficiently wide to admit the entrance of carriages.

NOTE LIV. p. 158. [BF].

"*MALLEOLI*," were bundles of broom, compacted with pitch; which being fired, were thrown in the manner of hand-granades, againſt the walls; or upon the roofs of houſes. *Malleoli*, was alſo a term for every kind of combuſtible matter.

NOTE LV. p. 159 [BG].

LICINIUS, whom Cicero calls, "*Popa neſcio quis de circo maximo*," held the office of *Popa*, or victim-ſlayer. This, though an infamous office, was of ſuperior rank to that of a common butcher. He killed the oxen, or heifers, with a hammer, after the method practiſed by the modern butchers; but then, he worked upon * ſacred cattle only. There was a ſpecies of ſacerdotality

* The cattle deſtined to the altar were conſecrated. The knife alſo with which the victim was ſlain, was ſanctified. See Cat. Note XVI. Orat. I. p. 333.

annexed

annexed to his character, but not enough to confer any real dignity upon him. The buſineſs alſo of *Popa*, was to purify the houſe where any perſon died; the Romans conſidering every houſe ſo circumſtanced, to be in a ſtate of pollution until *Popa* had fumigated it.

THERE is a reflection conveyed by *Circo Maximo*. In Rome were three circuſſes: the *Circus Maximus*, the *Circus Apollinaris*, and the *Circus Vaticanus*. They were places much frequented, like the *Corſi* in modern Italy, or *les Promenades* in France; where very bad, as well as very good company, aſſemble in the ſummer evenings. About dark, the courſe is left for the excluſive uſe of the former; who uſe it for the moſt flagitious intercourſes. The *Popa*, or demi-prieſt, kept a houſe of public entertainment in the *Circus Maximus*; where, no doubt, every kind of obſcenity was tranſacted. In ſhort, *Semiſanctus Popa*, occupied the joint offices of victim-ſlayer, and pimp. Sometimes, he prepared victims for the altar of Jove; at other times, for the altar of love.

NOTE LVI. p. 160. [BH].

CICERO, makes frequent mention of a concealed weapon, as if Milo's innocence upon that charge, was an entire exculpation of every other. The ſenator, who preferred this charge againſt Milo, was Publius Cornificius. When Milo ſtripped before the ſenate, and ſhewed that he had no weapon about him; and, that the charge of carrying a concealed one, was falſe and malicious: Cicero roſe, and exclaimed, "*Talia omnia ſunt crimina de Milone* "*perlata.*" Milo, committed a breach of ſenatorial by-law, as well as modeſty; in preſenting himſelf naked before the ſenate. But, the provocation he had received, was ſurely an ample juſtification.

NOTE

NOTE LVII. p. 163. [BI].

CICERO now concludes, that he has entirely juſtified Milo, againſt the charge for which he was tried; and that the ſervants of Milo, not Milo himſelf, were the guilty perſons. However, ſays Cicero, charge him afreſh; and he may, by a kind of legerdemain, ſtill be guilty, though innocent. That is, by a GLORIOUS FALSHOOD, "*mentiri glorioſe*," he may ſay he committed the murder, becauſe he was preſent when it was perpetrated, and approved it, when accompliſhed.

NOTE LVIII. p. 164. [BK].

CICERO ſays, in his *De Haruſpicum Reſponſis*, that Peſſinantia, the ancient ſeat of the goddeſs Cybele, was by Clodius ſold to Brogitarus, a Gallo-greek, and a moſt infamous fellow; with a command to the Peſſinantians, to give Brogitarus the title of king.

NOTE LIX. p. 164. [BL].

CLODIUS publiſhed a law, directing that the iſland of Cyprus, ſhould be deregnated, and Ptolemy king of Cyprus, formally diveſted of his regal dignity; after being expoſed to the public view, in his robes and enſigns of royalty. Marcus Cato, was appointed to go to Cyprus, with Pretorial dignity, attended by a Queſtor, in order to ſell the effects of the depoſed king, and to bring the produce to Rome.

NOTE LX. p. 164. [BM].

CICERO, refers to the pretended plan of aſſaſſinating Pompey in the Temple of Caſtor; where a ſlave of Clodius' was ſaid to be ſeized, with a dagger in his hand. The fellow upon examination

mination confeſſed, that he was furniſhed with a dagger by Clodius, and placed there for the purpoſe of killing Pompey; who, upon that account, continued ſome time, retired within his own walls. Cicero pretends to compliment, but in fact burleſques Pompey, upon this occaſion. Not the fear of his own perſon, ſays Cicero, but his exceſſive love for the republic, rendered him ſo exceedingly cautious. " *Ut intelligo cavebat magis Pompeius, quam* " *timebat, non ea ſolum quæ timenda erant, ſed omnino omnia, ne ali-* " *quid vos timeretis.*" The jingle, and the ridicule of this paſſage, are extremely curious.

NOTE LXI. p. 164. [BN].

AT Rome was a temple, dedicated to the fountain nymphs; who were Goddeſſes, ſuppoſed to be propitious againſt fire, for which reaſon the public records were there depoſited, as a certain ſecurity againſt every danger of conflagration. Clodius however, proved too many for the nymphs; for he ſet their temple on fire.

In this temple were depoſited the returns of the Cenſors, which were made every five years, and formed a *critique* or reviſal, of every man's conduct; each in his reſpective tribe. Clodius, who was conſcious that his account in the Cenſor's books was not a very creditable one, determined to prevent its appearance at the general return; when the whole was uſually entered, by way of record, in the public regiſters. He therefore, made uſe of a moſt infallible prevention, in burning them. What a catalogue of vices, muſt a five year's reviſal of the Roman people's conduct afford!

NOTE LXII. p. 165. [BO].

JANICULUM, was a town on the Tuſcan ſide of the Tyber. When Janus and Saturn, two well-known gods of Rome, divided

vided Italy between them. The firſt of thoſe deities, built the town already mentioned: the other, built alſo, on the other ſide the Tyber, naming his city likewiſe after himſelf, Saturnia. Cicero, by a bold figure, makes Janiculum ſtand for Rome itſelf. The Pretian, or Prelian lake, lies between Rome and Viterbo.

TITUS FURFANIUS, was Cicero's friend; with whom Cicero correſponded when Pretor. Clodius' threat, of bringing a dead body into Furfanius' houſe; requires ſome explanation. In the firſt place, ſuch an action was thought a great indignity; next, it might be done with a view to charge him with murder; again, Furfanius muſt have had the trouble and expence of ſending for *Popa*, to purify the houſe; VIDE NOTE LV. or, laſtly, perhaps to ſubject Furfanius, to the forfeiture of his houſe: which might, ſo polluted, have been claimed as ſacred property.

APPIUS CLODIUS, ſurnamed *Pulcher*, is the perſon mentioned by Cicero to have had his eſtate ſeized on, by his brother Publius Clodius. Several of Cicero's letters to Appius, are extant. He was, a little time after, appointed to the Cenſorſhip, jointly with Piſo.

NOTE LXIII. p. 166. [BP].

THE ſubſtance of the ſixty-three lines immediately preceding this reference, is comprehended in one ſentence by Cicero. But in this inſtance, the tranſlator has taken the liberty of dividing, and ſubdividing the ſentence. The delivery of any oration is certainly greatly obſtructed, by the inſertion of a ſentence of greater compaſs than can be eaſily uttered without a renewal of the breath: Or, at furtheſt, the continuance of two ſuſpirations. The obſervance of this rule has often interrupted an ardent deſire of proceeding in every inſtance, as near as poſſible, with the great original.

NOTE LXIV. p. 169. [BQ].

CICERO's ſtudy and travels in Greece, have anſwered purpoſes, very beneficial to his intereſt, excluſive of the advantages reſulting from ſuperior knowledge, and erudition.

THE untravelled world, which, in every country, conſiſts of the bulk of the people, is very eaſily cajoled, by the remaining part. Thoſe who have really ſeen many ſurprizing things, are, with leſs difficulty credited in the relation of others, ſtill more ſurprizing, and even impoſſible. Cicero ſaw very extraordinary events in Greece; which he retails as his purpoſe required.

NOTE LXV. p. 171. [BR].

CICERO here, pronounces a very juſt eulogium on the character of the Roman people. " *Hoc animo ſemper omnes fuimus,* " *ut quoniam noſtra futura eſſet gloria, periculum quoque putaremus.*" The honor due to Cicero from this ſentiment is however obſcured, by the rank egotiſm, which follows. " *Nam quæ mihi contribuenda* " *laus eſſet, &c. Propoſita invidia, morte, pæna, qui nihilo ſegnius* " *rempublicam defendit, is vir vere putandus eſt.*" And that VIR VERE, am I, MARCUS TULLIUS CICERO.

NOTE LXVI. p. 173. [BS].

THIS invocation favors a little of the buſkin, but was nevertheleſs, well calculated for a Roman audience; who were generally pleaſed with pathetic, and ſometimes with pompous declamation.

THE reaſon why the Alban groves and altars, are ſo pathetically invocated by Cicero, ariſes from the veneration in which they were held by the Romans. Their earlieſt anceſtors worſhipped in the one, and ſacrificed on the other. Their aſhes therefore, on that ſpot, aſſimilated with kindred duſt.

THE

THE Alban altars are likewiſe ſtiled, the "*ſociæ ſacrorum populi Romani.*" Tarquinius Superbus inſtituted a yearly feſtival in honor of Jupiter Latialis. The forty-ſeven cities of Italy were invited; and a bullock was ſacrificed on the Alban mount. *Latii* was an univerſal term, for all the people of Italy; whether claſſed under their reſpective denominations of *Latii*, *Romani*, or *Municipales*. In the *Latii*, all thoſe people had one certain anceſtry, formed but one people, and thence of courſe, deſcended from a common ſtock.

NOTE LXVII. p. 173. [BT].

THE encounter between Milo and Clodius, happened to enſue near a chapel of the *Bona Dea*. This was too fine a weapon, in the hands of Cicero, to be neglected.

NOTE LXVIII. p. 174. [BU].

"*VITA eſſet damnata.*" Many decrees and judgments, had iſſued from the forum, againſt Clodius, for crimes committed at divers periods.

NOTE LXIX. p. 175. [BW].

CLODIUS, is ſaid to have framed a law for enfranchiſing ſlaves; which he had cauſed to be engraven on braſs, and ready for promulgation, in caſe he ſhould be elected to the Pretorſhip. This muſt have proved a great engine of ſtrength, to Tribunes, and other officers, immediately connected with the people.

NOTE LXX. p. 177. [BX].

THE Roman ſenate, had the ſingular honor of ſitting upon appeals from almoſt all the neighboring nations; of arbitrating their differences; and ſheltering their expelled princes. Such,

was the glory and power of the Roman empire! Such, its reputation for honor, faith, and impartiality!

NOTE LXXI. p. 178. [BY].

CUM *falcibus*. Theſe *falces*, or ſcythes, were implements of war. They were uſed in the land ſervice, to looſen the walls of a beſieged place, by pulling out the ſtones. At ſea, they ſerved to hook or grapple with the enemy; or, to cut their ſails and rigging.

NOTE LXXII. p. 178. [BZ].

ON the evening of the day that Clodius was killed, Milo returned to Rome; and with his friend Celius, one of the Tribunes, attempted to appeaſe the mob, which attended the burning of the dead body. Celius, harangued the people officially; reiterated the vices and crimes of Clodius' life; and endeavored to gain a majority of the rioters, in favor of Milo's cauſe. But finding that impracticable, both himſelf and Milo, were obliged to retire; and had they not aſſumed the dreſs of ſlaves, would moſt probably, have been killed. Several of their friends, who were not ſo fertile in their invention, or, ſo fortunate to be provided with a diſguiſe; fell victims to the fury of the ſame mob.

CELIUS, was the firm friend of Milo, through every ſtage of the trial. Pompey paſſed an act, requiring the charge and defence to be made in the ſame day; and limited the pleadings on the part of the complainants to two, and on the priſoner's to three hours. Celius oppoſed this act, as injurious and unjuſt toward Milo, and precipitating the opinion of the judges. The moderation of Celius, indeed, ſo far deſerted him in the perſuit of his arguments, that Pompey became exceedingly irritated; and threatened if further urged, to defend the republic with arms.

NOTE

NOTE LXXIII. p. 178. [CA].

CICERO does very properly, in aſking an excuſe for his digreſſions. Clodius' vices and follies, on which the orator has ſo diffuſively enlarged, were totally unconnected with the point to be tried. The life of the moſt conſummate villain, while unconvicted, is as precious in the eye of the law, as that of the moſt virtuous citizen. Vice and criminality, are objects for the law alone to puniſh. Private perſons, aſſuming the right of puniſhing, violate the laws in a moſt eſſential manner; even ſuppoſing them to inflict juſt ſuch puniſhments as the law would have awarded, and juſtice confirmed. Upon a diſpaſſionate, and regular enquiry of law, the ſecurity and happineſs of mankind, entirely depend. And ſociety will receive much leſs injury from the eſcape of many villains; than from a violation of the general principles of law, in a ſingle inſtance. The vices of Clodius therefore, could not in any ſhape, juſtify Milo in the murder. They were, in all reſpects, foreign to the queſtion; and truly, *extra cauſam*.

NOTE LXXIV. p. 180. [CB].

THE Tribunes, were generally at variance with the ſenate; their views and intereſts, being for the greateſt part, very oppoſite. Cicero therefore demands a return for ſuch an unuſual favor, as a Tribune's concurring with that order.

NOTE LXXV. p. 180. [CC].

"*VIRES debiles*," is an extraordinary term for ſuch a hardy claſs of men, as knights. Milo, however, had good reaſons for ſtrengthning them. Cicero was their Captain-general; they, his faithful truſty ſoldiers, upon every occaſion.

NOTE LXXVI. p. 181. [CD].

MILO's popularity, and factions, were purchaſed at no ſmall expence. He had inherited three eſtates; from his father, his mother,

mother, and his maternal grandfather. All theſe were diſſipated in largeſſes, feaſts, and ſports, for the people. But, according to Cicero, Milo's views, in gaining the *vulgi*, and diſſipating his own fortune; was ſolely to procure more ample ſecurity, to the fortunes of his brother ſenators.

NOTE LXXVII. p. 182. [CE].

CICERO's diſtinctions, of glory and rewards, are finely conceived. Who would imagine, that ſuch highly-varniſhed ſentiments could proceed from the mouth of a man, who had very little courage; and was not overburthened with patriotiſm?

NOTE LXXVIII. p. 182. [CF].

THE Tuſcans, no doubt, rejoiced moſt ſincerely, in the death of Clodius. His inroads upon them were frequent; and followed by indelible marks of his viſitations.

NOTE LXXIX. p. 186. [CG].

THE pathetic here, ſeems to have been indulged by Cicero, greatly at the expence of his patriotiſm. His love of Milo, and his feelings for Milo's ſafety, would induce him to call Clodius from the grave; who, he has told us, was the ſcourge of the republic. Nay, he would inveſt Clodius with unlimited power, could he but enjoy the private friendſhip of Milo.

EXAGGERATION, and ſtrained truths, in a pathetic peroration, are very allowable; but, a direct denial of the very principles all the preceding arguments have labored to eſtabliſh, cannot be ſo eaſily juſtified. This may have the appearance of judging without feeling; with a benumbed, torpid, and inſenſible ſpirit. Still, there is great truth, in Shakeſpear's obſervation; "That, in the very "torrent, tempeſt, and, whirlwind of the paſſions; the mind ſhould "acquire,

" acquire, and beget a temperance, that may give it ſmoothneſs;" or, in other words, ſenſe and propriety.

THE ſubſequent remarks, on the peroration of this beautiful ſpeech, will ſhew; that notwithſtanding, the few blemiſhes pointed out, the body is fair, lovely, and moſt wonderfully engaging.

NOTE LXXX. p. 186. [CH].

THERE is peculiar grace and propriety in this paſſage. " *Hujus* " *vos animi monumenta retinebitis, corporis in Italia nullum ſe-* " *pulcrum eſſe patiemni?*" Can you, who have ſo often in a private as well as public capacity, felt the effects of his generoſity, benevolence and public ſpirit; you, among whom he has ſpent three conſiderable eſtates; you, whom his bravery and public ſpirit, have ſaved from the chains and fetters forged for you by Clodius; you, who experienced ſo many inſtances of his patriotiſm, and ſocial virtues: can you, remain at Rome; taſte the ſweets of liberty, derived from his intrepidity, and heroiſm; yet, deny him even the name of Roman? Can you ſuffer, conſtantly before your eyes, the public records, and other monuments of his fame; yet, refuſe to let him living, ſhare in the reſult of his own glory; or, when dead, to have his body covered with Roman earth? If you can do this; Milo will ſuffer only as his mind may remain attached to this country: his retreat will be, in all other reſpects, an advantage to himſelf. Contending nations, will eagerly ſolicit his adoption. He, who was rejected, contemned, and ſpurned by his own country, which he had reſcued from deſtruction; ſhall find an aſylum of glory, of honor, and exaltation, among whatever people, he ſhall condeſcend to inrol himſelf: " *Hunc ſua quiſquam ſen-* " *tentia ex hac urbe expellet, quem omnes urbes, expulſum a vobis,* " *ad ſe vocabunt?*"

NOTE

NOTE LXXXI. p. 187. [CI].

CICERO, takes leave of Pompey, with an artful, though trite, and ſtudied compliment. He ſhews, in many parts of this oration, a ſtudious deſire of conciliating the favor of Pompey; and, for obvious reaſons. But, his compliments are, almoſt every where, charged with a vein of ſatire, with ſome oblique or veiled ſarcaſm. Cicero's paſſions, and reſentments, were ſtrong. The exertion of his utmoſt caution was neceſſary, to avoid their involuntary operation; but that frequently failed him, in diſguiſing his feelings of revenge. He paid at laſt, a heavy forfeit, for the indulgence of thoſe feelings.

NOTE LXXXII. p. 187. [CK].

THE peroration, of Cicero's ſpeech for Milo, exhibits in the original, one of the fineſt pieces of writing, in any age, nation, or language. A reader unacquainted with the narrative, would have ſuppoſed from the peroration, that Milo had ſlain an invader, and repulſed his forces; that, like Manlius, he had ſaved the capitol; or, like Cocles, ſtopped the progreſs of an army, by his valor alone. In ſuch ſtrong colors of patriotiſm, Cicero has painted, the conſequences of a private diſpute between two individuals.

In the preſent oration, Cicero ſeems to have exerted himſelf in an unuſual manner, to repair the injury his reputation had ſuffered, by an ineffectual attempt, to ſpeak at the trial. The moſt critical judges allow, he has entirely effaced that ſtain of diſgrace, by the preſent attempt. The language, is correct, nervous, and ſublime; the ſentiments are bold, judicious, and patriotic; the arguments cloſe, ſubtle, and produced with unuſual regularity. And upon the whole, this oration is undoubtedly, the moſt ingenious, the moſt highly finiſhed, in the works of Cicero.

NOTES

OF THE FIRST

ORATION, OR PHILIPPIC,

AGAINST

MARK ANTONY.

NOTE I. page 193. [A].

CICERO, in copying the term *Philippica*, from Demoſthenes, ſeems to have adopted a ſervile, and egregiouſly-miſapplied imitation. The term, where uſed by Demoſthenes, had originality and propriety; as his orations were directed againſt Philip king of Macedon. But Marcus Antonius, had never been deſcribed or known, by any appellation reſembling *Philippus*. Aulus Gellius therefore, and other authors, have given the orations againſt Antony, the more rational title of *Antonianæ*. Obedience to cuſtom and long preſcription however, demand that the title ſhould be rendered PHILIPPIC, in an Engliſh tranſlation.

NOTE II. p. 194. [B].

WHEN the Lacedemonians prevailed againſt the Athenian ſtate, they appointed thirty rulers, to govern the acquired territory.

Thoſe were called *Tyranni*. The tyranny they exerciſed over the inhabitants of their new conqueſts, aided by the ſpirit of liberty, rouſed the Athenians, to ſhake off ſo heavy, and diſgraceful a yoke. Under Thraſybulus, they effected their deſigns; and entirely expelled the Lacedemonians from Athens. Liberty being reſtored, an act of oblivion took place. To reflect on the conduct of any perſon, during the late commotions was rendered highly penal. Such an act was particularly neceſſary at that period, as many Athenians from compulſion, or other juſtifiable cauſes, had been obliged to take a part againſt their country. Dio ſays, that Cicero in the ſame manner moved the ſenate for a decree, directing a total oblivion of injuries.

NOTE III. p. 194. [C].

CICERO here uſes the plural, by way of amplification. Antony had, at that time, but one child; and that one alone, was the "*Pax, per liberos ejus.*" The conſpirators were ſeized with ſuch a panic, after the aſſaſſination of Ceſar, that they could not be prevailed on to quit the capitol. Antony therefore, ſent his little ſon to the capitol, as an hoſtage for their ſafety. By this confidential procedure, ſocial meetings were eſtabliſhed the ſame evening. Antony, invited Caſſius to ſupper; Lepidus, Brutus; and others of Antony's party, invited the reſt of the conſpirators. To ſtrengthen their ſecurity, the province of Crete was aſſigned to Brutus; Africa, to Caſſius; Aſia, to Trebonius; Bithynia, to Cimber; and Gallia citerior, to Decius Brutus. But, when Ceſar's body was exhibited previous to the funeral, and the oration pronounced by Antony; the rage of the populace was ſo inflamed, that they attacked the houſes of Brutus, Caſſius, and other conſpirators; and were with difficulty repulſed. Thoſe two leaders, then left the city; one proceeding to Antium, the other to Lanuvium, where they remained for ſome time, totally inactive.

NOTE IV. p. 195. [D].

THE office of Dictator, was the higheſt the republic could confer; and the perſon, was generally nominated by the Conſul. Hence the term DICTATOR, "*quod a Conſule dicebatur:*" Though, in ſome caſes, the people nominated. At other times, the ſenate, and the Interrex, have nominated to that office. Julius Ceſar was the Dictator of the ſenate. This office was never moved for, but in caſes where extreme danger to the republic was ſuppoſed; either through ill ſucceſs in a foreign war, or from inteſtine commotions. The power of univerſal magiſtracy, the Tribunitian excepted, centered in the Dictatorſhip. Six months was the utmoſt ſpace of time the office could, by law, ſubſiſt: but in critical caſes, that term has been extended. Sylla, and Ceſar, obtained grants of that office for their reſpective lives.

NOTE V. p. 195. [E].

ANTONY, finding how diſguſtful the Dictatorſhips had been to the people; propoſed, not only a ſuſpenſion of the office, but an abolition for ever. This had the deſired effect; and even Cicero himſelf, as he frequently allows, was cajoled by Antony's propoſals on that head.

NOTE VI. p. 195. [F].

AMATIUS, an impoſtor, aſſumed the name of Caius Marius; pretending to be the ſon of the great Marius, and a relation of Ceſar. Having indicated many ſigns of a turbulent and ſeditious ſpirit, and gained ſome degree of popularity; Antony, with the perfect conſent of the ſenate, ordered him to be ſecured, and afterward dragged by a hook to the *Scalæ Gemoniæ*. Having aſcended the Tarpeian Rock; he was thence precipitated into the Tyber.

NOTE VII. p. 196. [G].

THE place where a body was burnt, the Romans called *Buſtum*; q. d. *bene uſtum*. But here, the term is uſed for the monument, which had been erected in honor of Ceſar; and to which, ſeveral images were affixed.

NOTE VIII. p. 196. [H].

THE populace, headed by Amatius, had erected a column, pillar, or *liberty-tree* of free ſtone, twenty feet high, erected on the *buſtum* of Ceſar, and inſcribed: "TO THE FATHER OF HIS "COUNTRY." The people performed ſacrifices, offered up their vows, and decided their diſputes before this pillar, under the notion of ſwearing by Ceſar, and making him arbiter of their cauſes. This ſoon became a ſcene of daily diſturbance; and the demolition of ſuch a favorite ſignal of rendezvous, could not but greatly affect its votaries and partiſans. Dolabella notwithſtanding, ſet about the work, and not only levelled their liberty tree; but puniſhed the rioters, who oppoſed him in the act. Some were hanged; and others made a rapid journey, from the brow to the baſe, of the Tarpeian rock. This is the inſtance, in which Cicero applauds Dolabella's Conſulate; and tenders Antony the compliment of ſuppoſing, he was conſentaneous in the procedure.

NOTE IX. p. 196. [I].

UNDER the deſcription of deliverers of their country, Cicero means the Bruti, Caſſius, and the reſt of the conſpirators. The Conſuls, Antony and Dolabella, who had publicly applauded their conduct in the conſpiracy, and called them the deliverers of their country; were nevertheleſs, privately perſuing the conſpirators to deſtruction.

NOTE

NOTE X. p. 196. [K].

VETERANS, were ſoldiers who had ſerved in the Roman army twenty years. After which, they were intitled to a retreat in ſome colony; and, to a portion of land to ſupport them. When Antony returned to Rome, he brought numbers of thoſe veterans with him from their retreats; and thereby, greatly alarmed the ſenate; inſomuch, that the ſenators left the city. Thoſe veterans were bound in ſtrong ties of gratitude, to the ſenate; as that order had conſtantly ſupported their pretenſions. Thoſe in particular, who had ſerved under Ceſar, were provided for in an extraordinary manner. Thus, they were united to Ceſar by the firmeſt attachment; as they owed their comfortable ſituation, originally, and chiefly, to him. He formed them for ſoldiers, led them to victory, governed them as the Dictator of the empire; and, by his influence afterward, obtained thoſe favorable circumſtances for them, which have been already mentioned. No wonder then, that reverence for the memory of Ceſar, their general, their aſſociate, their maſter, and their friend; ſhould prevail, beyond even their reſpect for the ſenate. How far they might be juſtified by the true criterion of patriotiſm in this preference, is unneceſſary now to decide. From the common principles of nature however, and from the genuine feelings of men who cannot be ſuppoſed to poſſeſs a very diſcriminating judgment; they ſeem to have acted uprightly and honeſtly, in ſupporting the perſuit of revenge upon the murderers of Ceſar; whoſe life had been ſo advantageous, and whoſe memory, muſt conſequently be ſo dear to them.

NOTE XI. p. 196. [L].

THE ſenate were empowered to grant deputations, or leave of abſence, to ſuch ſenators as ſhould offer ſatisfactory reaſons. Three cauſes, in particular, were adjudged valid. Perſonal ſafety; the diſcharge of a vow; and, the taking poſſeſſion of an heirſhip.

The

The firſt, was eaſily ſuggeſted; and, the ſecond always, in every man's power. Which of thoſe the orator made uſe of, we are not informed; though the privilege was granted to him by Dolabella. There can be no doubt, that Cicero, who was ſuch a complete maſter of omens and auſpices, and made ſo good uſe of them in Catiline's caſe; would not be deficient in vows, if he had no other cauſe of abſence to offer.

NOTE XII. p. 196. [M].

CICERO, began to entertain great apprehenſions, on account of his ſafety. He ſays, he had fixed his return for the kalends of january; becauſe, the next meeting of the ſenate, was appointed for that time. But, the true reaſon was, that he hoped for more auſpicious proceedings, toward the republic, and more ſecurity to himſelf, under another Conſulate. Hirtius, and Panſa, Conſuls Elect, were then to enter upon the Conſular office.

NOTE XIII. p. 197. [N].

BRUNDUSIUM, is a city of Calabria, celebrated for a fine harbor. The common paſſage from Rome into Greece, was by Brunduſium; there to take ſhipping. Cicero's ſubſtantial reaſons for going by the way of Sicily, and avoiding Brunduſium, were either, that he ſuſpected treachery from Antony on the road; or, that he did not chooſe to riſk his perſon in Brunduſium. The latter, is moſt probable. That place was inhabited by a conſiderable number of Ceſar's veterans, and friends; with whom Antony was then negociating.

SYRACUSE, a city built by Archias, ſeven hundred years before Chriſt, was then the capital of Sicily. Cicero having been Queſtor in Sicily, and having made a reſidence of ſome time there; had conciliated the affections of the Sicilians, the Syracuſans in particular, moſt ſtrongly. His whole Queſtorſhip among them, was a ſeries of humane

humane and benevolent acts; and his public proceedings, were bounded by great moderation. Theſe inſtances excited their love and gratitude ſo ſtrongly toward Cicero; that they honored him with the title of their patron and defender, in the Roman empire. Which title and office, together with their affections, were never withdrawn during the life of Cicero. Perhaps Cicero tried the Syracuſans, but found them averſe to interfering; or, Antony perhaps, had prediſpoſed them.

NOTE XIV. p. 197. [O].

LUCOPETRA, is a promontory, almoſt at the ſouthern extremity of Calabria, near Reggio. The promontory, lays oppoſite to the north-eaſt boundary of Sicily, at the diſtance of a few miles.

RHEGIUM, or Reggio, was a municipal town. Moſt of the municipal towns had privileges equal with the citizens of Rome. Theſe towns were governed by their own laws, uſed their own cuſtoms, and, were not bound by any reaſon or neceſſity whatever, to conform to the decrees of the Roman government. The Roman government ſhewed great reſpect to municipal juriſdictions. There are few inſtances of their being violated by the Roman power, in all the civil diſputes of the empire. They temporized and concurred, moſt probably, in every deſign of the Roman government; or in an immediate acquieſcence to the reſpective victors, as they by turns prevailed: For the troops of the different leaders were alternately admitted and ſuccored. This ſpecies, of empire within empire, cannot long ſubſiſt, if the internal and leſſer power, preſumes to aſſert and maintain its privileges. In that caſe, the inferior will either involve the greater empire in its own government, or totally ceaſe. All political governments, readily allow the municipal towns to aſſert their rights; but, they alſo take care to fritter thoſe rights into ſome few frivolous cuſtoms, that neither obſtruct the meaſures, nor impair the power of the ſuperior government.

NOTE XV. p. 197. [P].

ANTONY, harrangued the ſenate, in very ſpecious and conciliatory terms. He ſpoke in favor of Sextus Pompeius, the ſon of Pompey the Great; then bearing arms in Spain againſt Ceſar's legates. He propoſed inviting Sextus to return in peace; to order him a certain ſum in lieu of his father's effects; and, to make him the offer of commanding the marine. The whole ſpeech of Antony breathed peace; and his promiſes were ſuch, as enlivened the proſpects of Cicero. Upon the faith of this ſpeech, Cicero returned; if we may credit his own aſſertion.

NOTE XVI. p. 198. [Q].

ANTONY's inſiſting upon the adminiſtration of the provinces of Gaul, was the principal ſource of diſſention, upon the death of Ceſar. Thoſe provinces by lot had fallen to Decius Brutus, and Lucius Plancus. The ſenate wrote to Brutus, to maintain himſelf in his province; and, to oppoſe Antony, if he attempted to diſpoſſeſs him. But Antony afterward, for the ſake of peace as he pretended, dropt his pretenſions.

NOTE XVII. p. 199. [R].

THE judicious reader, will readily diſcover the looſe, ſhuffling, puſilanimous ſtate of mind, that took poſſeſſion of Cicero, when Antony's complexion toward the conſpirators and their party changed. From the account Cicero himſelf gives of his journey, we may eaſily diſcern a man rid by his fears, and irreſolutely flying from place to place; without any ſort of plan or method, to regulate his actions, or direct his ſteps. He nevertheleſs, boaſts as loudly of his patriotiſm in this very account, as upon any former occaſion. Neither the force of earthly, nor heavenly powers, was ſufficiently active to waft him, at a rate equal to the flight of his

his patriotic ſoul, when he had once formed the deſign of returning. The meeting with Brutus however, damped the ardor of this patriotic flight; and, had not Cicero been too far advanced in the Roman territories, the Philippics, in all probability, had been delivered at Athens, or buried in the ſea. But, finding he muſt proceed, he takes care to avail himſelf of the circumſtances of this meeting. He extracts ſuch information and opinions from Brutus, as could not fail to ſerve his purpoſes moſt materially, and then retails them to the ſenate. The conduct of Marcus Brutus, in the conſpiracy againſt Ceſar, was certainly ſuggeſted by the nobleſt motives, carried on with a firm conviction of rectitude, and finiſhed with great intrepidity, and reſolution. Even thoſe who hold the killing of Ceſar to be an infamous aſſaſſination, muſt contemplate the general character of Brutus with eſteem and veneration. But thoſe who juſtify, and approve the conſpiracy, will doubtleſs look up to him as the firſt of heroes, and the very God of liberty. What a different character, Brutus encountered at Velia! One, who loved confuſion, and always ſeized any advantage that might be drawn to himſelf from an interference; but would not riſk a finger, to inſure ſucceſs to the moſt precious enterprize. The expreſſions Cicero uſes in ſpeaking of Brutus, were very juſtly his due, at this meeting, and they correſpond exactly with that dignity of ſoul, which being innate, never failed nor deſerted the great Brutus. Had his principle been right in regard to Ceſar; antiquity does not furniſh a character of greater truth, of more valor, or, of more inflexible juſtice.

NOTE XVIII. p. 200. [S].

THE dreadful conſternation excited in the city of Rome by Hannibal's march, after the battle of Cannæ, is an event well known in hiſtory. Hannibal ſeems to have frightened the inhabitants, for his amuſement. He drew his army toward Rome, and encamped within three miles, though he made no attempt to

beſiege that city. But in one of his obſervatory excurſions, he threw a ſpear over the walls of Rome; as a mark of the contempt in which he held the Roman power.

NOTE XIX. p. 200. [T].

THE treaty with Pyrrhus, is no obſcure incident in hiſtory. His army was advanced within twenty miles of Rome; and greatly alarmed the city. The name of Appius Cecus, has been tranſmitted to us, and will moſt probably, be conſigned to immortality; for the part he took on that occaſion. Blind, and decrepit with age, he nevertheleſs ordered his ſervants to bring him before the ſenate, on his bed, and there oppoſed the granting any conditions to Pyrrhus, that were derogatory to the dignity of the Roman empire.

NOTE XX. p. 200. [U].

A SENATOR who abſented himſelf on any occaſion, except when ſummoned upon a decree for a triumph, or ſupplication, or with leave from the ſenate, was liable to a fine. In other caſes, pledges were commonly depoſited by the ſenators, that the fine might be immediately levied. But the ſubjects of a triumph and ſupplication, not being of a general nature; no fines were due for non-attendance, in thoſe caſes.

NOTE XXI. p. 200. [W].

WHEN Clodius procured the baniſhment of Cicero, he ordered Cicero's houſe to be levelled with the ground. Upon Cicero's recal, a houſe was built for him at the public expence, by a decree of the ſenate.

NOTE

NOTE XXII. p. 201. [X].

THE *Parentalia*, were a horrid ſpecies of ſacrifice. When the Gods were not ſuppoſed to be appeaſed, nor the *manes* of a deceaſed perſon in a ſtate of peace; ſome relation was ſacrificed, to procure a quiet repoſe to the deceaſed. The ſacrifice of brutes, feſtivals, and ſports, were generally firſt uſed. But, there are innumerable inſtances, both in the Greek and Roman hiſtory, of perſons voluntarily engaging in battle, for the purpoſe of ſacrificing themſelves at the ſhrines of their defunct relations, in order to procure peace to their ſouls.

NOTE XXIII. p. 203. [Y].

DOUBTS aroſe, whether all the acts of Ceſar, ſhould be ratified by the ſenate's authority. Thoſe acts contained various and extenſive grants; of provinces to ſome, and very conſiderable appointments to others. The ſenate, to conciliate parties, agreed to the ratification. Calphurnia, Ceſar's widow, delivered all the commentaries and memorandums of her deceaſed huſband, into the hands of Antony; fearing, that an account might be demanded of her by the ſenate, and reſtitution to the public required. Theſe papers proved a great treaſure to Antony. But he is charged by Cicero, with expunging and altering the acts contained in ſome of thoſe commentaries; and inſerting others, agreeable to his own purſuits and wiſhes. Thus, ruining the republic, under the pretext of its own authority.

NOTE XXIV. p. 203. [Z].

CICERO, calls the veterans, ſoldiers, and artiſans, who ſtood in large bodies round the ſenate-houſe, the *Advocati* of Antony. Cicero, always aſſembled as many friends as poſſible, when he had any cauſe depending; which indeed was the general cuſtom. But

Cicero's advocates on that day, were not quite ſo numerous, nor furniſhed with ſuch *ſtrong* arguments, as thoſe of Antony.

NOTE XXV. p. 204. [AA.]

THERE is much obſcurity, in Cicero's definition of Ceſar's acts and laws. To diſtinguiſh with certainty between Cicero's idea of Ceſar's laws, and his acts, is impoſſible. The beſt account the text affords is, that there were ſeveral of Ceſar's laws which had been ratified by the ſenate, and publiſhed with all the formalities of the conſtitution. All thoſe Cicero entirely approved; but ſome of thoſe, Antony and his party were for reſcinding. Cicero's anſwer is this: You, Antony, want to maintain all the acts of Ceſar as valid, that have only his own ſanction, yet you wiſh to aboliſh ſome of his conſtitutional laws; now I, though I diſapprove many of his acts, concur in confirming all, both laws and acts, to oblige your party. Can you therefore, refuſe to agree in perpetuating his laws, or legally-ratified acts? As to the journals, memorandums, and forged contrivances of Antony, uſhered into the world under Ceſar's name; Cicero diſtinguiſhes them very ingeniouſly, and treats the ſubject with great humor. Indeed the whole tranſaction concerning laws and acts, is ſo obſcure and involved, that a ſerious diſquiſition would be loſs of time.

NOTE XXVI. p. 204. [AB].

OPS, was the goddeſs of wealth, and many other deſireable acquiſitions; and the mother alſo, of the whole Pantheon. In the temple dedicated to this divinity, the treaſures of the republic and of individuals, were uſually lodged. The Temple of Ops was, in fact, the Exchequer. When Ceſar's occaſions required money, he made no ſcruple of violating the ſanctuary of the Goddeſs; and, applying her wealth to thoſe occaſions. A great part of this treaſure, had been depoſited by Pompey and his friends, for the particular

ticular purpoſe of carrying on the war againſt Ceſar. This, Ceſar might ſuppoſe, improved his title to the money; though the poſſeſſion of Rome, was the beſt he could poſſibly urge. The enormity of the crime, lay in entering the temple without the public key. But Ceſar, like Oliver Cromwell, never gave himſelf much trouble about piety or regularity, in accompliſhing what his imagination ſuggeſted to be right, or his affairs abſolutely required. Cicero is indeed, ſo complaiſant to the memory of Ceſar, to ſay, that though he could have wiſhed this money returned to the original proprietors; yet, if really applied to ſerve the purpoſes of Ceſar, he thinks there could be no reaſon to complain.

NOTE XXVII. p. 206. [AC].

CESAR, inrolled a legion of Tranſalpine Gauls; which legion, he called ALAUDA, or, THE LARK; from the figure of a lark, borne as the regimental creſt. This regiment did him good ſervice; and remained, Antony's ſtaunch friends. Cicero therefore, calls this LEGIO ALAUDARUM, Antony's judges; and ſays, that without ſuch judges, he could not carry on his buſineſs according to law.

NOTE XXVIII. p. 207. [AD].

CESAR, publiſhed two ſalutary laws, called *De Vi*; *et*, *De Majeſtate*. They had nearly the ſame object, and very much reſembled, the Riot Act of Great-Britain, paſſed in the reign of King George the Firſt.

NOTE XXIX. p. 208. [AE].

THE Tribunitian power, was very formidable to the Roman government, and indeed, a diſgrace to good legiſlation; particularly ſo, as the Roman people at large, by the conſtitution of the

the republic, had a negative voice in every legiſlative act. Cicero, may therefore, juſtly denominate the Tribunitian power, *Furor Tribunitius*; for it was ſcarcely ever exerciſed, except to ſtimulate the mob to acts of outrage and miſchief. No civilized nation, now retains any ſuch principle in its conſtitution, as an aſſembly of the people at large.

NOTE XXX. p. 208. [AF].

CICERO's idea of Ceſar's ſhade below, managing the affairs of the republic; is extremely well conceived. Cicero ſucceeded ſo well in the burleſque, upon this occaſion, that the name of *Charonitæ*; "Spirits, ſent by Charon, from the ſhades below;" was afterward applied to ſuch perſons, as received promotion from Antony under the notion of Ceſar's will, or act.

NOTE XXXI. p. 210. [AG].

NOTHING can be more finely imagined, than Cicero's account of Antony's legiſlature. The dialogue between Antony and a Queriſt, is maintained with great pleaſantry; and preſents Antony to the public view, in a moſt contemptible light. Cicero allows him all the formalities of law, in his proceedings; that the Conſuls aſked the proper queſtion, "CONSULES POPULUM JURE "ROGAVERUNT?" and that the people anſwered in the preſcribed, conſtitutional form; "POPULUS, JURE SCIVIT." But who are the people, ſays the Queriſt, that decree all this? Who, but the guards of Antony; whoſe orders were to ſurround the forum, to the excluſion of every other perſon. What name can you give to a law, under ſuch circumſtances? The law of arms; not, a law of the people's conſent.

NOTE

NOTE XXXII. p. 210. [AH].

THERE is ſcarcely a man without ſome good qualities. Antony had ſeveral. To deny the fact, would have impugned the veracity of Cicero; allowing the fact was therefore, politic. By an appearance of candor in the beginning, Cicero gained credit for much more than the truth, when he came to relate the bad qualities of Antony. This was policy; but not quite deep enough. Cicero might have ſhone much more with his audience, cajoled Antony, and kept his head firm upon his ſhoulders; if he had ſometimes ſoftened, and not ſo perpetually irritated Antony.

NOTE XXXIII. p. 210. [AI].

BY forefathers, Cicero means Mark Antony, the grandfather of Antony, our orator's opponent, who was a ſpeaker of great eſtimation; he followed the fortunes of Sylla, and was killed by Marius. Lucius Ceſar, Antony's maternal uncle, was alſo a man renowned for his fine talents; but above all, for his invincible integrity.

NOTE XXXIV. p. 211. [AK].

CICERO boaſts much of the boldneſs of his aſſertions; made even in the face of danger. But every perſon knew that he was unacquainted with the features. He had never met the face of danger, though he had often ſhunned it.

NOTE XXXV. p. 213. [AL].

THE veterans, were greatly alarmed at the death of Ceſar; and, their fears continued, till they knew what part the Conſul, or Senate, would take. Theſe veterans, owed every enjoyment of life to Ceſar: and they juſtly feared, if his enemies ſhould prevail, that the

the grants he had obtained for them, would be reſcinded. But Antony, ſoon quieted their fears.

NOTE XXXVI. p. 214. [AM].

MARCUS MANLIUS, was called Manlius Capitolinus, from his valor in ſaving the ſtate, by retiring to the capitol, when he found the city untenable againſt the beſieging Gauls. Aſſuming ſome ſmall degree of pre-eminence, to which his valor, judgment, and the importance of the action, juſtly entitled him; he ſo far excited the envy and reſentment of his compatriots, that they ſtarted the old charge, " a ſuſpicion of affecting dominion," and ſent him precipitately to the bottom of the Tarpeian rock. The deſcendents of the Manlii, were, on the ſame account, forbid to bear the name of Marcus.

NOTE XXXVII. p. 215. [AN].

WHILE they fear; let them hate. " *Oderint dum metuant*," was a phraſe in the part of Atreus, in a tragedy wrote by Accius.

NOTE XXXVIII. p. 216. [AO].

THE ſtatue of Pompey, was privately crowned, with a wreath of laurel. A glorious proof, no doubt, of the univerſal odium againſt Antony. However Cicero, ſpeaking of this trivial incident ſays, " *Pompeii ſtatuæ plauſus infiniti.*"

NOTE XXXIX. p. 216. [AP].

THE Apollonian games, were ſports inſtituted, either in honor of Apollo; for a deprecation againſt peſtilence; or, for the celebration of ſome national victory. At this exhibition, Brutus, who was the Pretor, and properly, ſteward of the courſe, did not appear,

appear, and, for very prudential reaſons. But Atticus, who had the ſtewartry deputation; cauſed the ſports to be exhibited with peculiar magnificence at Brutus' expence. The people, who are generally well diſpoſed toward thoſe who entertain them well, ſhouted; and gave tokens of applauſe to the abſent Pretor, as Cicero interprets. But Antony choſe to ſuppoſe the applauſe given to the defunct Accius; becauſe a piece of his, was then under repreſentation.

NOTE XL. p. 217. [AQ].

WHEN the ſenatorial and equeſtrian orders, join with the plebeian rank; I do not, ſays Cicero, call their approval, mere applauſe; this is the tribute of judgment, carries the ſtamp of applauſe well placed, and diſcovers a power ready and able, to ſerve the object of ſuch united approbation. But, in the preſent caſe of Brutus, the difficulty lies in aſcertaining where the applauſe was directed: whether, to the abſent Brutus, to his deputy Atticus, to Accius, the poet, or, to the gaudy ſhews and ſplendid entertainments? The players, and pantomimiſts, moſt probably, bore the palm of applauſe from all the reſt.

NOTE XLI. p. 218. [AR].

CICERO, has produced a ſtring of circumſtances, to prove the unpopularity of Antony, and of Ceſar's cauſe. But moſt of them are indeciſive, or not fairly tending to the point, to which Cicero means to direct them. Crowning a ſtatue by ſtealth, clapping at a play, or enquiring after a ſick man's condition; are no direct, nor indeed any proof, of Antony's unpopularity. But, every opinion is heard with attention, that iſſues from the mouth of an eſteemed orator. The well turned period, ſmooth, voluble utterance, a peremptory manner, and a high tone of voice occaſionally exerted; will tickle the ear, amuſe the fancy, intimidate the minds,

and faſcinate the judgment, of the moſt reſpectable aſſembly. To inſinuate that Cicero was deficient of genius, argument, or of the true principles of reaſoning, would be abſurd; nevertheleſs, he often debaſes his powers, or was ſo utterly forſaken by them, to excite our aſtoniſhment, that a learned and judicious aſſembly, ſhould ſuffer him to proceed.

NOTES

NOTES

OF THE SECOND

ORATION, OR PHILIPPIC,

AGAINST

MARK ANTONY.

NOTE I. page 221. [A].

THE ſecond Philippic of Cicero, is univerſally eſteemed a maſter-piece of compoſition, notwithſtanding the many vulgar, and indecent paſſages, contained in the oration. Cicero, begins with Antony in his earlieſt youth, and relates the incidents of his life; blending thoſe, which refer to his private conduct, with the events of his public adminiſtration, He endeavors to repreſent them, like two foul humors, ſo mixed in one conſtitution, that no effort of nature can ſeparate them. Cicero however, ſeems happy in tracing them to their ſources; and tranſported, when he ſees that they will, at ſome future period, deſtroy his adverſary with their coroding impurities. The terms, in which he addreſſes Antony, are not the moſt honorable, nor delicate. Though endeavors have been uſed, to convey the acrimony and contemptuouſneſs, without adopting entirely the coarſeneſs of Cicero's terms. Nevertheleſs, ſome vulgar expreſſions unavoidably continue.

NOTE II. p. 221. [B].

THE various definitions of Fate furniſhed by the ancients, are now rendered uſeleſs, by the expulſion of the doctrine of Fate itſelf, from our preſent philoſophy. But, Edmund the baſtard's treatiſe, of "The divine thruſting on of fate;" is ſo excellently calculated to clear up the matter, that an inſertion of his ſpeech, may not be found unapplicable to this paſſage.

> "This is the excellent foppery of the world, that, when
> "we are ſick in fortune, often the ſurfeits of our own
> "behavior, we make guilty of our diſaſters, the ſun, the
> "moon, and ſtars: as if we were villains on neceſſity;
> "fools by heavenly compulſion; knaves, thieves, and trea-
> "cherous, by ſpherical predominance; drunkards, liars,
> "and adulterers, by an inforced obedience of planetary
> "influence; and all that we are evil in, by a divine thruſt-
> "ing on."

NOTE III. p. 221. [C].

NINETEEN years had elapſed, between the quelling of Catiline's conſpiracy, and the preſent diſpute with Antony. The part Cicero took upon the former of thoſe occaſions, created him, as we have already obſerved, many enemies. Thoſe, were ever watching to diſtreſs him, and are what he very juſtly calls, "the "foes of the republic."

NOTE IV. p. 222. [D].

CICERO, though not ſo well born as Antony, had ſo exalted his fortune, raiſed his rank, and, eſtabliſhed his ſituation, by means of his genius and elocution; that he ſtood perſonally, upon the higheſt ground of public greatneſs. His character was revered

revered in ſuch an extraordinary degree, to reflect a luſtre of dignity, and to attire an unbounded reſpect to his perſon, from all claſſes of men. His birth was ſo much forgot, that had he been deſcended immediately from a prince, the circumſtance would not, probably, have been remembered to his advantage: ſo great were the qualities of his mind, and ſo ſenſible were the Roman people, of thoſe qualities. Some few extraordinary inſtances of the public favor which he experienced, may not be improperly recapitulated.

BEFORE he had accompliſhed his forty-third year, the age required in a Conſul by the Roman conſtitution; he was elected to the Conſulate by the unanimous ſuffrages of the people, though ſix competitors of great family-conſideration appeared at the ſame time. When he diſcovered the proofs of Catiline's conſpiracy, the ſenate decreed a thankſgiving in honor of his name. "*Quod* "*urbem incendiis, cæde cives, Italiam bello, liberavit.*" An honor, as he himſelf ſays, in one of his orations againſt Catiline, never granted on ſuch an occaſion; the triumphs of others, being for ſucceſsfully ſerving, his, for ſaving the ſtate: "*Quod cæteræ bene* "*geſta, hæc una conſervata republica conſtituta eſt.*" Nothing could add more to the luſtre of this decree, than the manner in which Marcus Cato gave his ſuffrage: He called Cicero, "*Pater* "*Patriæ.*"

WHEN the Clodian faction prevailed with Piſo and Gabinius, then Conſuls, to baniſh Cicero from Rome; ſuch was the attachment of his faithful, and originally co-ordinate knights, that they changed their garb, which was a token of great diſtreſs. *Twenty thouſand noble youths attended in ſack-cloth, to ſupplicate a remiſſion of

* "*Nobiliſſimi adoloſcentes, ad viginta millia numero,*" Is a great number of noble youths, to aſſemble at one time. There are numerous authorities to ſupport, and nothing but the underſtanding to contradict, the fact.

the

the ſentence againſt their darling orator. A full ſenate, decreed a general change of dreſs, as on the occaſion of ſome public calamity. At his return from baniſhment to Rome, ſixteen months after his expulſion from thence, the concourſe of people going out to meet him, was ſo great; that, as Cicero ſays, "Italy brought "him on her ſhoulders to Rome," Many more incidents of public rewards, highly honorable to Cicero, might be added.

NOTE V. p. 223. [E].

THERE is ſomething truly amiable in Cicero's being more affected by the charge of violated friendſhip, than any other. The whole tenor of his life, leaves no room to doubt of the ſincerity of this profeſſion. He lived in the moſt genial, and affectionate manner, with his family. The tenderneſs and friendſhip, which ſubſiſted between himſelf, his ſon and his daughter; were worthy of imitation. With his brother Quintus, he was always upon the moſt affectionate terms; and his friendſhip for Atticus is ſo well known, to become proverbial, like that ſubſiſting between Pylades and Oreſtes. However dark, crooked, vindictive and intereſted, Cicero's politics may have been; we may venture to pronounce, that his general conduct in private life was gentle, ſocial, and ingenuous; his friendſhips warm, affectionate, and ſincere.

NOTE VI. p. 223. [F].

WHEN a youth of quality aſſumed the virile robe, his friends uſually delivered him to the care of ſome perſon renowned for his learning and integrity. Men of rank, who anſwered that deſcription, were generally applied to; and there was no diſgrace in their receiving youths of that deſcription for their pupils.

NOTE VII. p. 224. [G].

THE Augurial college at that time, was the higheſt inſtitution of Rome. It was compoſed of nine Augurs, who were indiſcriminately appointed from the patrician or plebeian rank. Their dignity was *durante vita*.

CICERO, was appointed to the dignity of the Augurate, in the place of Marcus Craſſus; when he ſet out on his Parthian expedition, in the year ſeven hundred, U. C.

NOTE VIII. p. 224. [H].

AFTER the battle of Pharſalia, a battle ſo fatal to Pompey's cauſe; Cato endeavored to prevail on Cicero, to take the command of the forces. In this, he was aided by ſeveral of Cicero's friends. The orator however, choſe rather to accept of Ceſar's offer; and by a convention between them, came under the aſſurance of ſafe conduct, to Brunduſium in Italy. Here he found Antony, who indeed, had the life of Cicero in his power. But, he could not have exerciſed that power to the prejudice of Cicero, without a violation of Ceſar's orders; and a diſſolution of every tye of honor, and good faith. Cicero, ſarcaſtically allows Antony every latitude of villany, as conſonant to his ſituation, being that of a robber heading a banditti; yet denies, that he would have acted conſiſtently, even with the honor of thieves, to put him to death. He goes further: "Suppoſe," ſays he, "you "had really ſpared me, when the reverſe was juſtifiable? "Am I therefore, tamely to ſuffer you, to ſeize on the liberties of "my country; and, to be a ſilent ſpectator of Rome's, and my "own deſtruction? I had much rather have yielded my life to "your power, in the firſt inſtance."

NOTE IX. p. 226. [I].

MARCUS CRASSUS, a man famous for the exceſs of his wealth, was not well inclined to the intereſts of Cicero; on account of ſome ſuſpicions directed againſt him by Cicero, in reſpect to Catiline's conſpiracy. Nothing but the interference of Craſſus' ſon, who was the pupil of Cicero, and attached to his maſter; could have prevented a public quarrel.

NOTE X. p. 227. [K].

"IN *Chirographo habes ſcientiam quæſtuoſam.*" Alluding to Antony's ſuppoſed forgeries, in regard to Ceſar's acts.

NOTE XI. p. 228. [L].

THE particular perſon here alluded to, is ſuppoſed to be Sextus, the ſon of Publius Clodius, then under ſentence of interdiction. Cicero, ſeems to be a little involved with this buſineſs. He cannot deny, that Antony ſwore he would not recal this perſon, without Cicero's conſent. And Cicero ſeems to allow the meaſure to be improper, yet cannot diſown, having concurred in the execution. But ſays Cicero, I knew there was *a law* of Ceſar which revoked the interdiction; and I, therefore, thought my conſent immaterial. How mean and flimſy, the ſubterfuges ſuggeſted by fear, or falſhood!

NOTE XII. p. 229. [M].

CLODIUS, killed by Milo; Curio, who with two legions, under his command, was cut off at the river Bragada; and Antony, the *Hero* of the Philippics, were ſucceſſively in the order they are mentioned, the huſbands of Fulvia. Fulvia, then the wife of Antony, is the canker-worm, which, Cicero ſays, deſtroyed the two firſt, and would prove equally fatal to Antony. Cicero's words

words are; " *Quoniam id domi ſuæ eſt, quod fuit illorum utrique* " *fatale.*"

PLUTARCH ſays, Fulvia was a woman of ſpirit, and not born for domeſtic uſes merely. The deſire of governing, was ſo ſtrong, and extenſive a principle in her mind, that ſhe thought the management of a huſband, ſcarcely an object of ſufficient importance, to work upon. However, ſhe condeſcended to uſe him as an inſtrument, that would clear the way to imperial rule. And the courſe of diſcipline, Antony ſuffered under her tutorage, brought him tame, tractable, and complying, into the ſervice of Cleopatra. At leaſt Plutarch aſſerts theſe facts.

FULVIA, is no where repreſented as an amiable woman. Still, this does not juſtify Cicero, in aſcribing the fate of her two deceaſed huſbands, to her conduct; nor, in the prognoſtication of a ſimilar fate to her third. How any part of her behavior, could influence Milo to kill Clodius; or, why Curio ſhould be cut off with all his forces, becauſe Fulvia was his wife; is not eaſily comprehended? Though Antony encountered a violent death, Cicero's prognoſtication nevertheleſs proved falſe, in reſpect to Fulvia. Antony, ſurvived Fulvia, married again, and was afterward, in more exalted circumſtances than he had ever experienced. There is ſomething uncandid and unmanly, in Cicero and in Plutarch, cenſuring a woman, becauſe ſhe governed her huſband. Women are by nature, prone to dominion; and never fail to accompliſh their deſigns, when they have fit objects to work upon. In reſpect to Fulvia, though there are many circumſtances of ingenuity, there appears nothing really criminal in her conduct. However, ſhe embraced the firſt opportunity of revenge upon Cicero; and he paid dear for the liberties he uſed with her character. Domeſtic peace, ought not to be diſturbed with impunity. And if a man is happy under his wife's government, why ſhould he not continue ſo?

NOTE XIII. p. 229. [N].

"THE LUCULLI." Lucius, and Marcus Lucullus, mentioned as approvers of Cicero's Conſulate, were both of Conſular rank. The former, poſſeſſed an eſtate of greater revenue than Pompey. He triumphed in the war againſt Mithridates, where he acquired immenſe property. His gardens are highly celebrated for their magnificence; and the eſtabliſhment of his houſhold, was one of the beſt and moſt expenſive, in the empire. A courſe of luxury and intemperance, at his table particularly, ſo debilitated his body and impaired his underſtanding, that he was, at no great age, conſigned to the care of his brother Marcus.

MARCUS CRASSUS has been already mentioned as famous for his exceſſive wealth, which procured him the notice of Ceſar and Pompey, and alſo obtained for him the honor of an alliance with thoſe great men, under the denomination of the Triumvirate.

HORTENSIUS, was eſteemed after Cicero, the beſt orator in Rome. We may preſume however, that he was no formidable rival to Cicero; by the great and frequent commendations, the Prince of Orators beſtows upon him.

NOTE XIV. p. 229. [O].

CAIUS CURIO, was a man in great eſteem for his oratorical abilities; which Cicero confirms, in his treatiſe, *De Claris Oratoribus*. He was Conſul in the year ſix hundred ſeventy-ſeven, of Rome.

MARCUS LEPIDUS, was maſter of the horſe to Ceſar: and afterward comprized in the Triumvirate, by Auguſtus and Antony.

CALPHURNIUS PISO, Marcus Glabrio, Lucius Volcatius, and Caius Figulus, were all men of Conſular rank, and of eſteemed characters.

MARCUS

MARCUS CATO, had not attained the Conſular dignity, though he had enjoyed the Pretorian. Hiſtory, has ſo minutely explored and commended, the actions of this honeſt and patriotic ſenator; that his general character is almoſt as univerſally known, as the act of ſuicide he committed when beſieged in Utica. In contradiſtinction to other deſcendents of the ſame houſe, he is called, Cato Uticenſis. If the philoſophy of the Stoics had not prevailed over the genuine ſentiments of this, in all but death moſt amiable character; Marcus Cato, had been handed down to poſterity, as uniform a pattern of virtue, as he undoubtedly is of integrity.

CICERO, when he ſays of Cato, "*Tum quod te Conſulem non "vidit*," ſeems to inſinuate that Cato, who though he ſaw enough to juſtify a renunciation of life, being aſſured that ſervitude and oppreſſion, muſt be the lot of the Roman people, as a conſequence of Ceſar's ſucceſſes; yet Cato never entertained an idea of Antony being Conſul. For, could he have conceived that; he would have readily conceived alſo, that calamities of a much more oppreſſive, a much more torturing nature, were at hand: and in that caſe, his reluctance of life would have been ſtill greater.

NOTE XV. p. 230. [P].

LUCIUS CESAR, was Mark Antony's maternal uncle. Antony's mother, the ſiſter of Lucius Ceſar, contracted a ſecond marriage, with Publius Lentulus; who accordingly became the ſtepfather of Antony. Cicero, in one of his orations againſt Catiline, derives an argument to his own favor, from preſuming, that Lucius Ceſar, would not have condemned Lentulus, his ſiſter's huſband, had not his crime been moſt flagrant; and alſo moſt clearly proved.

NOTE XVI. p. 231. [Q].

"DIES *natalis*." The anniverſaries of birth-days, were celebrated with great magnificence, by the Romans. The ſluices of carouſal, revelling, and libertiniſm, were then opened; and every ſpecies of vice flowed into the entertainment. Cicero, conſcious that exceſſive revelling on the occaſion of a birth-day, was no great crime; hints, at a perverſion of the inſtitution of thoſe feaſts by Antony. Though a man might celebrate his own, and his family's birth days, he ſhould not, ſays Cicero, ſhelter himſelf under the ſame inſtitution, in celebrating thoſe of his paraſites and buffoons, to increaſe the number of the days of revelling. Antony, as he loved the table, and a ſprightly meeting; might, like ſeamen upon a cruiſe, cajole the ſtate out of a few birth days, and have his ſemi-demi-ſemi-anniverſaries, all in the ſame revolving year. This, however, could be no very great crime. But if honeſtly and truly a birth-day; where is the leaſt cauſe for animadverſion? The object of the day's debate at Rome, was nothing more than an opportunity for Cicero to abuſe Antony.

NOTE XVII. p. 231. [R].

CICERO raves, juſt here. He execrates Antony, for not making his uncle his adviſer, and director. Should any man among us, reflect upon a miniſter of Great Britain, becauſe he did not conſult his father, or great grandfather, for his public conduct on every occaſion; would not mankind think him mad?

NOTE XVIII. p. 232. [S].

WHEN any tumult aroſe in the city, the eminent and well-diſpoſed citizens ran to the Capitol, to defend the temple of Jove, their protector. And, for what was no uſeleſs addition, to defend the city's fortreſs, upon the Capitolinian hill. Upon alarms

alarms of very great moment, they were directly inliſted or inrolled. And thenceforward, till the ſubſiding of the occaſion, conſidered as ſoldiers, and ſubject to military law.

NOTE XIX. p. 232. [T].

MOST of the conſpirators, in Cicero's Conſulate, voluntarily acknowledged their letters; but Ceparius was one, who acknowledged the treaſon, in conſequence of the public faith being pledged to him for his ſecurity. His confeſſion, under the ſeal of pardon, was however, moſt ſhamefully violated; for he ſuffered with Lentulus, and the other conſpirators.

NOTE XX. p. 232. [U].

PLUTARCH ſays, the charge againſt Cicero concerning Lentulus, is falſe; and that the body of Lentulus received every burial rite. Had thoſe rites been refuſed, as Lentulus ſuffered for treaſon, no reproach could be juſtly attributed to Cicero.

NOTE XXI. p. 234. [W].

"*AB Ityræis circumſederi.*" The Ityreans, were a people in whom Antony great confided, and he employed them on the moſt critical occaſions. He inliſted a conſiderable number of them, in his Parthian expedition. Ityreus, was a city of Parthia; and by a figure, ſtood for Parthia itſelf.

NOTE XXII. p. 234. [X].

"*CEDANT arma Togæ.*" A quotation from Cicero's poetical works; which all ages have concurred in conſigning to perpetual execration. Antony had him here, in a net ſpread by himſelf. Cicero flounces a little, and endeavors to eſcape; but he was too faſt inſnared, ever to be able to float himſelf in the ocean of

of poetry. Proſe was his element; and rhetorical flowers, what he cultivated with the greateſt ſucceſs. His "*Cedant arma togæ*," is a compliment he had the honor of tendering to himſelf; upon occaſion of the ſuppreſſion of Catiline's conſpiracy.

ANTONY was not the only adverſary, who touched this defect with a rough hand. Piſo, galls Cicero moſt immoderately, and Cicero winces accordingly. Piſo urged him ſo cloſely upon the line of poetry; and alſo, upon another jingling conceit, in the piece alluded to, "*Concedat laurea laudi*;" that Cicero's temper, unable to bear his ridicule, engaged in a ſerious defence of the whole poem. In this, he has occaſion to quote ſeveral of Piſo's remarks, which ſeem to have been moſt excellently levelled; and to have fixed every one of them in a mortal ſeat. Cicero never loſt himſelf ſo effectually, as in this very altercation with Piſo.

LORD CHESTERFIELD adviſes, never to diſpute the fact of your adverſary's ſhot taking place, if you are evidently hit. Heal the wound, ſays he, in private; film it over; do any thing but publicly probe. Take your revenge, nevertheleſs, ſays his lordſhip; but let that be by a freſh ſhot, lodged in ſome tender ſenſitive part of your antagoniſt.

A CANT term or phraſe, a frightful caricature, are circumſtances, which, if well applied and univerſally appropriated, keep down the ſpirit and effect of the greateſt genius. We have ſeen, in our own times, eminent and great characters, ſink under the load of a grievous epithet, or a detractive by-name. The phraſe, "*Cedant arma togæ*," was equivalent to a bliſter, when applied to Cicero. He winced, he ſhrunk, and the company of ſurgeons, could not have rendered the wound ſanable. Through life it goaded him; and eighteen hundred years after his death, our Ariſtophanes has made the wound rankle.

NOTE XXIII. p. 236. [Y].

CICERO confeſſes, having endeavored to interrupt the friendſhip between Ceſar and Pompey. But not at the time, nor upon the occaſion, quoted by Antony. Like a true politician, Cicero watched with jealouſy, and with every art ſtrove, to prevent a junction of two ſuch formidable intereſts; though without ſucceſs. But when he ſaw them by extraneous circumſtances, not only divided in intereſts, but avowed enemies to each other; he would have us believe that he endeavored to re-unite them. In order, as he ſays, to avert the horrors of a civil war.

NOTE XXIV. p. 236. [Z].

MARCUS BIBULUS, was Julius Ceſar's colleague, but with ſo little, or rather no ſhare of power; that their Conſulate was called the Conſulate of Julius and Ceſar. Ceſar, at this period, was forming that alliance with Pompey and Craſſus, which laid the foundation of his future greatneſs. This alſo, was the period, wherein Cicero attempted to divide the intereſts of Pompey and Ceſar; in which he had, no doubt, the general voice to favor him.

NOTE XXV. p. 237. [AA].

THE five years appointment of Ceſar, being expired, Cicero adviſed Pompey againſt a renewal of Ceſar's commiſſion. Had Pompey liſtened to this counſel, there is every reaſon to believe, that Ceſar's power never would have riſen to thoſe heights, which eſtabliſhed him in the Dictatorſhip. Ceſar no doubt, poſſeſſed great advantages, by having commanded the principal army of the republic, during his firſt five years, in Gaul. But, had Pompey arranged his proceedings without any regard to Ceſar, as Cicero counſelled; had he, in concert with Craſſus, made uſe of the

the powers of government they were then inveſted with at Rome; or indeed, had they but ordered Ceſar home, before he was ſo completely ſtrengthened; in either of thoſe caſes, Ceſar probably, would not have attained the ſeat of imperial power. But, ſo far was Pompey from adopting Cicero's advice, in regard to Ceſar's recal; that he ſent two legions to ſtrengthen his army.

NOTE XXVI. p. 238. [AB].

CICERO conſiders Antony's including him in the number of Ceſar's conſpirators, as an act of friendſhip in Antony, and a circumſtance that reflects immortal honor on Cicero. He tells Antony, early in this oration, he is ſo exceſſively ſtupid, conſtantly to plead for his adverſary and in his own diſfavor; by miſtaking his principle, by ſome blunder in the application, or by ſome obviouſly-falſe concluſion. The circumſtance of the conſpiracy, he introduces as an example; "*Tu autem, omnium ſtultiſſime, non in-*
"*telligis, ſi eo, quod me arguis; voluiſſe interfici Cæſarem, crimen*
"*ſit.*" Cicero's example here, is however, manifeſtly falſe. The aſſaſſination of Ceſar, was at that time, an act execrated by a great majority of the people. One man from principle, a few from intereſt, and an inconſiderable mob of the dependents of thoſe; were indeed, ſanguine in the defence of the aſſaſſination. But the majority, or in other words, the multitude, revered the memory of Ceſar; curſed his aſſaſſinators; and adored Antony, for vindicating the honor, and maintaining the acts of Ceſar. What, but the popular fury, drove Brutus and the conſpirators from Rome? What, but the love of Ceſar's memory, and the juſtneſs of his acts; induced the ſenate to approve, and the people to ratify them? And what, but the people's deteſtation of Ceſar's murderers, could have ſupported Antony in the meaſures he was then perſuing; to the deſtruction of the whole band of conſpirators? Yet Cicero, very gravely and confidentially aſſerts, that the murder of Ceſar was no crime, nor reputed ſuch by the people; but on the contrary,

trary, the ſubject of univerſal applauſe, and even of Antony's approbation. Both thoſe aſſertions are notoriouſly untrue. Antony, for prudential reaſons, temporized a very little while after the aſſaſſination; and the people, ignorant of the true nature of their ſituation and without a leader, were ſilent. But the moment Antony's ſphere of action was a little expanded; the inſtant the people found in him, a leader and director; they joined as heartily in perſuing the murderers, as Antony could wiſh, or the moſt zealous friends of Ceſar expect. Nor did they, from that time forward, remit of their diligence in the perſuit. The conſequence, as all readers of the Roman hiſtory know, was the ruin, or death, of the whole band of conſpirators.

NOTE XXVII. p. 238. [AC].

NOTWITHSTANDING Cicero's pretended joy, in being claſſed with the "glorious band;" he ſpares no pains, to diſcharge himſelf of the imputation of Ceſar's murder. Could I be ſuſpected of adviſing this, or that conſpirator, to ſuch a meaſure? No. Then follow his reaſons, againſt the probability of his adviſing them. Some of thoſe reaſons are curious. The two Brutus's could not want Cicero's counſel, becauſe they had two ſtatues to direct their proceedings. Caſſius could not, becauſe he had one anceſtor who aimed at regal power, and another ſo averſe to perſonal dominion, that he killed the former, his ſon, for aiming at power. As Caſſius, the conſpirator, inherited the blood of both; might he not, upon Cicero's own principle, have at leaſt a fluctuating ſpirit, in the point of *regnum affectantem?* Caius Trebonius, Cicero could not perſuade, becauſe he never dared to perſuade him on any occaſion. However, he honors him particularly, for the part he took in the bloody buſineſs; becauſe he was Ceſar's friend. Cicero obſerves, very patriotically indeed, that this Trebonius ſhewed great magnanimity, in ſacrificing the ſocial, at the ſhrine of the patriotic affections. Tullius Cimber, could not poſſibly be in-

fluenced by Cicero, Cicero did not think him capable of ſuch an act; however, having proved himſelf capable, he admires him the more, for not having thought him ſo. And, very archly, but truly patriotically ſays, his admiration was increaſed, becauſe Cimber, though he could forget his friend and benefactor, could not forget his country. "*Quod immemor beneficiorum, memor pa-*" *triæ fuiſſet.*" Is this a compliment, or a ſarcaſm levelled at Tullius Cimber?

THESE circumſtances ſeem to indicate, that Cicero had no inclination to be really conſidered as one of the conſpiring band; and that he labors to avoid, being viewed in that light. Nevertheleſs, there are ſtrong reaſons to preſume, he really was acquainted with the tranſaction; though ſome authorities are urged againſt this opinion, authorities founded on Cicero's daſtardly ſpirit. Theſe indeed, muſt have been an invincible obſtacle, in the mind of Brutus, againſt comprehending Cicero in the act of aſſaſſination; but might not prevent his being included as an aſſociating conſpirator.

NOTE XXVIII. p. 238. [AD].

JUNIUS BRUTUS, was the expeller of Tarquin. Ahala Servilius killed Spurius Melius upon a ſuſpicion, *regni affectandi*. Marcus Brutus and Decimus Brutus, two of the conſpirators, were deſcended in a direct line from Junius Brutus; and maternally, from Ahala. See Milo, Note IX.

NOTE XXIX. p. 238. [AE].

CAIUS CASSIUS, was another conſpirator, whoſe anceſtor killed his ſon, upon the old ſuſpicion "of uſurping power." Caſſius is ſaid to have opened a paſſage to Ceſar, and ſupplied him, with ſeventy gallies, when he arrived in the Helleſpont, in his perſuit

perſuit after Pompey; though Caſſius had before that, entertained the deſign of killing Ceſar. Cydnus, is a river in Cilicia, flowing by the town of Tarſus; and remarkable for the coldneſs of its water. Alexander is ſaid to have contracted a fever, by bathing in this river.

NOTE XXX. p. 239. [AF].

DOMITIUS, was but a youth, though engaged in the conſpiracy. His father fell in the battle of Pharſalia, fighting on Pompey's ſide. Cato Uticenſis, was his uncle. Cicero very fairly ſuggeſts, that there was no neceſſity to urge Domitius. Here, his reaſons are found. The hot blood of a noble, and ſpirited youth, would require but little ſtimulation in perſuit of the ſuppoſed murderer, of two ſuch relations.

CAIUS TREBONIUS, another of the band, had been a partiſan, and the intimate friend, of Ceſar. And according to Cicero, loved Ceſar when he ſtabbed him. "*Sed amor patriæ omnia vincit.*"

TULLIUS CIMBER's ſuppoſed incapacity, aroſe from too intimate an acquaintance with Bacchus. Yet he, rather than Caſſius, was intruſted with the commiſſion of opening the bloody buſineſs. The event, juſtified the preference.

NOTE XXXI. p. 242. [AG].

ANTONY moved, for diſpenſing with the law which denied the Pretor a liberty of more than ten days abſence. In order, no doubt, to free himſelf from Brutus' preſence, at that juncture. By what rule of reaſoning however, does Cicero infer; that becauſe one man propoſes the abſence of another, he muſt approve his actions? The contrary, ſeems the juſt inference. Cicero then proceeds: "Why were provinces decreed to Brutus and Caſſius?" For

the very ſame reaſon given in the laſt note. To procure their abſence, and leave the field open to Antony; that he might proceed without interruption, in his deſigns to bring the conſpirators to juſtice. "Why Queſtors added? And wherefore ſuch an increaſed number "of Lieutenants?" If Antony's politics led him to ſtifle the cry of juſtice, in order to ſatisfy its demands more amply afterward; he might find an equal neceſſity of gloſſing every preſent proceeding that affected the conſpirators. Antony's hands, were not then ſufficiently ſtrengthened, to act as he wiſhed, and as he afterward did proceed. When he acquired a ſituation, proper for action, no man could perſue a plan more vigorouſly. We might aſſert, and with as much propriety as Cicero in the caſe of the conſpirators, that King Charles the ſecond offering honors and rewards to Oliver Cromwell, was an indication of his approving Cromwell's conduct. We all know the neceſſity of ſometimes tampering with villany, in order to chaſtiſe the agent more effectually afterward.

In anſwer to the advocates of liberty, it may not be improper to obſerve in this place, that notwithſtanding the reverence with which patriots reflect upon the memory of Brutus, and the conſpiring band; the ſevereſt enemies of Ceſar muſt confeſs, that the power he exerciſed, was freely delegated to him by the Roman people. But Brutus, Cato, and Caſſius, deemed that power too extenſive and dangerous? Suppoſe thoſe, and fifty more ſenators, had diſapproved Ceſar's elevation; ſtill the Roman people, approved his government. Pompey, at the head of an army, diſputed Ceſar's right to govern. What was his motive? Not merely, whether Ceſar ſhould poſſeſs a certain degree of power: But whether he, or Ceſar, ſhould poſſeſs that degree of power. The partiſans of Pompey, Brutus, Cato, and Caſſius, may therefore be ranked among the contenders for a Dictatorſhip, with as much preciſion as Ceſar. The whole of Pompey's conduct, his alliance with Ceſar and Craſſus in particular, ſhewed he was as ambitious of

of power, and at the expence of the Roman ſtate, as Julius Ceſar, or any Ceſar who followed him. The fact is: the Roman ſtate had been long diſtracted, and diſguſted with an ariſtocratical government; ſtill more ſo, with a recent Oligarchy under the denomination of a Triumvirate; and the people languiſhed for a Dictatorial government. In this predicament, to whom could they apply with a better proſpect of ſucceſs, than to Ceſar? Whom chooſe for a Leader, or Dictator, with equal advantage to themſelves? His genius and diffuſive talents, the native dignity of his mind, his courage and conduct in war, his learning and political knowledge; his humanity, gentleneſs, and ſocial virtues; all pointed him out as the only man, to whom the people could with ſafety apply. Theſe qualities, which ſo evidently particularized a Dictator in Ceſar; as fully afterward juſtified the choice of the people. His adminiſtration was a ſeries of acts, planned and uniformly executed, for the honor and advantage of the republic. He was merciful, in a degree bordering upon error. He lived in amity, and a ſocial intercourſe, with his fellow-citizens. His whole conduct, ſhewed him unconſcious of any perſonal elevation: except what was immediately derived from his fellow-citizens, and reverberated to them, leaving him in office only, their ſuperior. He never once preſumed to act from that kind of authority, which inheritance of power naturally dictates. He conſidered himſelf as deriving nothing from deſcent, as holding by the free voice of the people only; and acted accordingly in the moſt unpretending manner. Never, therefore, was any Governor more baſely, and atrociouſly murdered, than Julius Ceſar. Never was a more moderate, clement, and amiable Ruler, dragged from the ſeat of juſtly-delegated power: than that great, that godlike Hero, Julius Ceſar.

NOTE XXXII. p. 244. [AH].

THE charge againſt Antony, in regard to the conſpiracy, is ſupported by the authority of Plutarch. VIDE VIT. BRUTI.

But,

But, the invariable tenor of Antony's conduct, both before, and after Ceſar's aſſaſſination, refutes the charge. The whole ſeems to have been formed from the malevolence of Cicero's ſpirit, and the keeneſs of his reſentment; rather, than from truth, or any probable ground. Trebonius taking Antony apart and engaging him in converſation, while the aſſaſſination was perpetrating, ſeems to be an undeniable proof, of Antony's ignorance of the particular day, or circumſtances of the fact; even ſuppoſing, what others ſuggeſt, that he had a general idea, of that tranſaction, which however is contrary to every known principle of his life.

NOTE XXXIII. p. 244. [AI].

CICERO, ſays Antony was not calculated for the buſineſs, as it required the agency of "a man." This becomes truly ridiculous, when we reflect, that the conſpirators, unanimouſly agreed, to exclude Cicero from any part in the aſſaſſination, becauſe of the bad conſequences that might ariſe from his exceſſive timidity.

NOTE XXXIV. p. 244. [AK].

"CUI *bono fuerit?*" Was a phraſe very frequent in the mouth of Caſſius, whence Cicero ſays, "*Illud Caſſianum.*" Caſſius practiſed an ingenious method, of cutting ſhort judicial proceedings. When a priſoner was before him, Caſſius took but little trouble to inquire into evidence concerning the facts; or, the circumſtances adduced, in proof of them: "*Cui bono fuerit?*" was the queſtion that with him always led to the point. The contingent advantages to the priſoner were the ſole object of his conſideration; and, as thoſe proved, he acquitted, or condemned; but, generally condemned. By his exceſſive ſeverity, he acquired the appellation of, "*Scopulus reorum.*"

NOTE

NOTE XXXV. p. 244. [AL].

CICERO here, alludes to the treaſures of Ceſar, depoſited in Antony's hands, by Calphurnia. Calphurnia, and the friends of Ceſar, as ſoon as the intelligence of Ceſar's fate reached them; reſorted to Antony for protection. The event ſhewed, their judgment in the choice.

THE mart of forged commentaries, alludes to the bargains and appointments, made and nominated by Antony, under the color of Ceſar's acts. Cicero frequently charges Antony, with having forged decrees and acts, and with exhibiting them as the real acts of Ceſar, found in his books, or among his papers; which were all in Antony's cuſtody. Antony, is ſuppoſed to have drawn immenſe ſums from this ſpecies of traffic; which was openly carried on at his houſe, by agents appointed for that purpoſe.

NOTE XXXVI. p. 245. [AM].

ANTONY, touched Cicero in a very tender point, when he told him in a former oration, that Cicero's ſpirit was of ſuch a rancorous, reſtleſs, perturbative nature; that he was not only bitter toward his enemies, but troubleſome, diſtreſſing, and hurtful to his friends. Antony inſtances, Cicero's conduct in Pompey's camp, where he deranged his military operations. Cicero denies, that any miſchief aroſe from his conduct there. He acknowledges indeed, to have propoſed peaceable meaſures; but that circumſtance, he conſiders as meritorious.

CICERO's behaviour in the camp, was nevertheleſs, troubleſome, petulant, and diſtreſſing to Pompey. He urged him to peace, when no peace could be made; for Ceſar was then inflexible. Cicero's love of peace therefore, which he pretends aroſe from a patriotic ſpirit, ſeems moſt likely to have ariſen, from the want of any

any ſpirit whatever. Indeed, his behavior at the battle of Pharſalia, fully authorizes that opinion. The great men, in which Cicero ſays the republic would have been rich, had peace prevailed; were Pompey, Cato, Petreius, and Afranius. The protection Cicero intended to offer thoſe great men; was of that kind they would have ſpurned. And, if they have a ſhadow of earthly conſciouſneſs at this moment; there cannot be a doubt, that they would rather re-ſuffer death than bear the reflection, of having been ſaved from Ceſar's power, in the manner Cicero was, at Pharſalia. What Cicero repeats, of his own indifference about life, and having, for his ſole view, the care and preſervation of thoſe illuſtrious men, the ſoul of the republic; was ſo amply belied in each ſtage of life, and, in every one of his public proceedings, but particularly at Pharſalia, that his beſt friends, who were preſent, muſt have had great difficulty, *tenere riſum*.

NOTE XXXVII. p. 246. [AN].

CICERO was not ſo firm a patriot, as Cato. Cato, could by no means, ſurvive Ceſar's Dictatorſhip; but Cicero, with his ſafety well-aſſured, could live under any government. "*Mihi* "*enim pax omnis cum civibus, bello civili utilior videbatur.*" In another place he ſays; "*Ego incolumitati civium primum, ut poſtea digni-* "*tati poſſemus, conſulebam.*" This was honeſt.

NOTE XXXVIII. p. 247. [AO].

"PURCHASER," does not convey an idea, adequate to the original. "*Sector*," in the latin, anſwers nearly to a villanous broker or ſharper; who waits to prey upon the neceſſities of mankind. Being a term of ſtrong reproach, Cicero, for that reaſon, applies the expreſſion to Antony; who purchaſed Pompey's eſtates at auction upon very *reaſonable terms* indeed. The twenty millions of ſeſterces, amount to about one hundred and ſixty thouſand pounds.

NOTE

NOTE XXXIX. p. 248. [AP].

THE reproach here, lies againſt Antony's father, and not againſt Antony. So far from being cenſurable for not inheriting his father's eſtate, his caſe is truly lamentable, in that particular. Antony's father diſſipated his fortune, and left Mark Antony a youth, highly born, freely educated, and ſtrongly impaſſioned by nature; to enter upon the ſtage of life without fortune, without a director, and under every diſadvantage a man could poſſibly experience. His father's extravagance therefore, ſo far from being a reproach, as Cicero ſuggeſts, is the beſt excuſe that could be offered on behalf of Antony; and may be deemed the ſource of his errors, and the cauſe of all his ſubſequent misfortunes. At the ſame time, the imputation alledged by Cicero, is as unjuſt as mean; and revolves with infinite diſgrace, upon the imputer.

NOTE XL. p. 248. [AQ].

ANTONY's party, at Scipio's villa of Tiburtinus, made an agreeable *ſéjour*, of ſeventeen days. The party, ſo far as relates to Cicero's complaint, was pleaſant; and, if the members were facetious, and ſuch perſons as a man of Antony's complexion might be ſuppoſed to collect, the time muſt have paſſed very entertainingly. Antony, was to repreſent Cicero. The reſt of the party, were to perſonate Antony, or his friends. They were to abuſe Antony as the common enemy, to the utmoſt extent of their imagination. His part was to ſhew, how far his temper poſſeſſed the power of endurance, and to frame anſwers correſpondent to their *civilities*; that is, ſuch as an oration of Cicero would probably provoke.

THE rules of temperance, were not perhaps ſtrictly obſerved at this meeting; and *vini exhalandi*, inſtead of *ingenii acuendi*, might be the true cauſe, of this humorous declamation. Appointing a

maſter of rhetoric alſo, duly elected by the party, might be "*joci* "*cauſâ*;" rather than, for the purpoſe of improvement. The meeting however, muſt have been jovial; and Cicero, very cavalierly treated.

NOTE XLI. p. 249. [AR].

CICERO, is very much diſpleaſed with Antony, for not being as grave a man, and as good an orator, as his grandfather. The laſt objection, might be difficult to remove. And even the firſt, admits of ſome excuſe.

NOTE XLII. p. 249. [AS].

LEONTIUM, a city of Sicily; celebrated for a vicinage, the moſt fertile in the iſland. Here Antony allotted two thouſand acres of land, to his honeſt friend and rhetoric maſter. Antony, who knew how to make a preſent with grace; diſcharged the grant of all taxes. Cicero objects to that, as a violation of the Sicilian laws; which aſſeſſed all lands to the amount of a revenual tythe. He concludes therefore, with a pointed ſarcaſm, againſt Antony: "*Etiam hoc, ex Cæſaris Commentariis.*"—So ordered perhaps, in Ceſar's Commentaries.

NOTE XLIII. p. 250. [AT].

LUCIUS ROSCIUS OTHO, in the year ſix hundred eighty-two, U.C. obtained for the knights, the privilege of ſitting in the theatre with ſeveral marks of diſtinction; in conſequence of which, fourteen rows of ſeats were appropriated to their order. The indulgence, was meant to be extended to thoſe only who poſſeſſed a certain income; which method had been a ſtanding rule, to regulate many other privileges of the knights. If the knights did not demand Antony's pecuniary qualification, but ſuffered him unmoleſtedly, to enjoy a diſtinction, which his birth and ſituation intitled

tled him to, and which, nothing but his father's errors, could have made a queſtion of right; if they, from motives of humanity, allowed Antony to take his place among them, Cicero's charge ſeems to ſavor ſtrongly, of ill-nature and illiberality.

NOTE XLIV. p. 250. [AU].

WOMEN of pleaſure, wore a peculiar ſort of gown or robe, to diſtinguiſh them from the honorable matrons of Rome. The *ſtola*, or matron's robe, flowed as low as the feet; and of courſe, covered the whole body. The robe of the former, was probably, a little more communicative.

NOTE XLV. p. 250. [AW].

THERE is reaſon to apprehend, that many of the ſubſequent charges adduced againſt Antony, are not only well ſupported, but of the moſt malignant nature. He certainly availed himſelf of youth, and a fine perſon, to procure the moſt diſhonorable emoluments. The commerce he maintained with Curio, or rather that Curio maintained with him; was infamous, and, but too well proved. There can be nothing to urge in defence of Antony's private conduct, where the name of Curio is mentioned; not even the circumſtance of his father's miſmanagement. The advantages of birth, figure, and alliances, which Antony ſo eminently poſſeſſed, joined to a tolerable good capacity; might have carried him to wealth and honors, by the moſt juſtifiable means. Nevertheleſs, though his indigence is no excuſe for his crimes, yet, that was certainly the ſource of them. If his fortune had correſponded with his ſituation, he would, moſt probably, have ſtruck into the path of honor, and never trod the ground of infamy.

NOTE XLVI. p. 251. [AX].

"SESTERTIUM *ſexages.*" Six millions of ſeſterces. In ſterling money, about forty-nine thouſand pounds.

NOTE XLVII. p. 252. [AY].

THE art of oratory is here finely diſplayed. Cicero having nothing new to lay before his audience, hopes they will excuſe a repetition of old facts, of no great moment. But, ſays he, I will ſo adorn them with the brilliancy of my wit, will ſo enliven them with my agreeable manner of relating; that, dull and tireſome as the facts themſelves may be, yet in my mouth, they ſhall be intereſting and entertaining. To lighten the weight of tedious narration; to render that intereſting, which is in itſelf of no moment; and to poſſeſs an audience with ſuch ſentiments as the orator wiſhes to inculcate, in defiance of every principle of reaſon, or rectitude, ſhould his caſe require, and his audience permit, ſuch a relation, are no doubt, leading properties in elocution.

NOTE XLVIII. p. 252. [AZ].

ANTONY, early in life, was ſtrongly connected with Clodius; but perceiving that Clodius became unpopular, he withdrew from the intercourſe, under pretence of travelling. But not till he had a little damaged Clodius' character, by the violence of his proceedings. Cicero calls Antony, "*Ejus omnium incendiorum fax.*" Cicero alſo aſks: What Antony was doing in Clodius' houſe? He was exerciſing a few civilities toward his wife, and laying the foundation of a future, more intimate connexion. This actually took place after the death of Clodius; when ſhe became Antony's wife.

NOTE XLIX. p. 252. [BA].

ANTONY's journey into Alexandria, was to aid the intereſt of Ptolemy king of Egypt, whom the Alexandrians had expelled. Pompey would not agree to aſſiſt Ptolemy. But Gabinius, to whom the commiſſion had been intruſted, by the artful perſuaſions of Antony, was induced to undertake Ptolemy's reſtoration. This was in defiance of religion, becauſe the Sibyline oracles had decreed, "*Ne rex Ægyptius cum exercitu reduceretur:*" and againſt the orders of the ſenate, becauſe the ſenate had previouſly directed, that every decree of the Sibyls ſhould be unalterable.

NOTE L. p. 253. [BB].

ANTONY's paſſing through Rome, in his way from Egypt to attend Ceſar in Gaul, without ſtopping in Rome, was a circumſtance that might naturally excite an alarm in Cicero's breaſt. Antony could not have rendered a very ſatisfactory account of his Egyptian expedition, to the ſenate; nor did Ceſar wiſh him, juſt at that period, to have any intercourſe with the ſenate. Other buſineſs was then in agitation.

NOTE LI. p. 254. [BC].

HOW Cicero ſtood affected toward Clodius, is well known. And, notwithſtanding the confuſed manner in which Cicero ſpeaks of Antony's attempt upon the life of Clodius; his oration for Milo, and numberleſs other circumſtances plainly indicate, that he heartily wiſhed Antony ſucceſs in that perſuit.

NOTE LII. p. 255. [BD].

CICERO ſays, "*Labentem, et prope cadentem, rempublicam*;" meaning the weight of Ceſar's power, then preſſing upon the government.

government. But the fact was, that Ceſar propped the republic; nor did the ſtate ever totter till he fell.

NOTE LIII. p. 255. [BE].

ANTONY ſeems to have been Ceſar's beſt friend, upon the occaſion of the ſenate's decree to recal Ceſar. Antony, being Tribune, certainly evaded putting the decree in execution. Though the decree itſelf, was nothing more than a manœuvre to aid Pompey's faction; and pull down Ceſar's party. For Pompey, in caſe Ceſar had been ſo complying and obliging to return, was to have been inveſted with the ſupreme command of every department. In the ſtruggles of thoſe times, patriotiſm was entirely out of the queſtion. The true propoſition, as before obſerved, was not, whether Rome ſhould be free, but whether Pompey or Ceſar ſhould be Dictator? And when the true ſentiments of the ſenate and people, were obtained, both appeared obviouſly in favor of Ceſar.

NOTE LIV. p. 255. [BF].

THE ſenate, or rather Pompey's faction decreed, that Antony, Curio, and Caſſius, then tribunes of the people, were enemies of the ſtate; becauſe of their unwillingneſs, or rather their refuſal to act againſt Ceſar's intereſt. They fled to Ceſar's camp, diſguiſed in coarſe habits, and in a hired carriage; where they avowed themſelves his friends. This proceeding, Cicero calls the ſeeds of rebellion; and charges every ſubſequent calamity of the republic, to that account.

ANTONY had, no doubt, managed very artfully with the ſenate. When Marcellus, the Conſul, who was Pompey's truſty friend, propoſed that an augmentation ſhould be made, of Pompey's forces; Antony, as Tribune, propoſed on behalf of the people, that troops ſhould rather be ſent into Syria. When the ſenate, through

through Marcellus, Pompey's agent, forbad the reading of Ceſar's letters; Antony, ſtraining the authority of the Tribunitian power, read thoſe letters. Ceſar's pen, like his ſword, ſcarcely ever failed of ſucceſs. This circumſtance, opened the way for a queſtion, artfully prepared by Antony: "That Pompey and Ceſar, ſhould "both be required to reſign their commands?" which was carried almoſt unanimouſly, and Antony ordered to ſee the ſenate's reſolve executed. But the Conſuls, Pompey's friends, checked this procedure.

In ſupport of what has been advanced, in reſpect to Pompey's deſigns upon the republic being perſonal; there needs no further proof, than the continuance of the two Marcellus's, his agents, three ſucceeding years in the Conſulate; till Julius Ceſar, by his ſucceſs at Pharſalia, procured it for himſelf. If Julius Ceſar, had not during his abſence, engaged Antony, or ſome friend high in the magiſtracy of Rome; his intereſt there muſt have been extinguiſhed, and the proſecution of the war intruſted to him, rendered impracticable. The moſt ſevere enemies of Ceſar muſt therefore allow, that the meaſures he perſued, were ſuch as his own ſafety, and the common good of the republic demanded; even though he had been without one view toward his own perſonal elevation. This conſidered, the circumſtance of Ceſar's deſigns upon the Dictatorſhip being of long ſtanding, will appear at leaſt problematical; as the meaſures he did perſue, common prudence alone, would in all events, have dictated.

NOTE LV. p. 256. [BG].

THE Tribunitian authority, at that period, was eſteemed the moſt venerable of all the temporal inſtitutions, of the republic. The interpoſition of the Tribunes, had conſequently an influence beyond any other, over the minds of the people.

NOTE LVI. p. 257. [BH].

THE *expulſion* of pretors, tribunes, ſenate, youth, might more properly be called the *ſeceſſion* of pretors, tribunes, ſenate, youth. Ceſar's mildneſs and clemency, appeared in every tranſaction of his life; and Cicero very unjuſtly pretends, that a regard to their ſafety, induced theſe dignified perſons, to fly from Rome. Thoſe who felt conſcious of having merited Ceſar's reſentment, by their ill-uſage in his abſence, might entertain apprehenſions. But even thoſe, reſting upon his clemency, all found grace and reconciliation, in the ſequel of the war.

NOTE LVII. p. 257. [BI].

THE three ſlaughtered armies, were thoſe of Pompey, and the ſenate at Pharſalia; of Petreius and Afranius, in Spain; and of Scipio and Juba, in Africa.

NOTE LVIII. p. 257. [BK].

THE compariſon here would have been more *germane* to the purpoſe, as Shakeſpeare expreſſes himſelf, had Cicero compared Antony with Paris, rather than Helen. Helen was not the cauſe of the Trojan war; or in the greateſt latitude of ſpeech, ſhe was but the innocent cauſe. Againſt Paris the imputation will lie every way; for he was undoubtedly, the guilty cauſe. Compariſons however apart, and oratorial flouriſhes excluded; Antony was incapable of ſtimulating Ceſar to act, where his judgment did not ſuggeſt the propriety.

NOTE LIX. p. 258. [BL].

CAIUS ANTONIUS, the uncle of Mark Antony, and the colleague of Cicero in his Conſulate, had been ſentenced to baniſhment

niſhment upon conviction of bribery. When Antony, came into power, he reſtored Denticula, who had been condemned to the ſame puniſhment, for gaming; but without taking any ſteps for the recal of his uncle, whoſe crime, in Cicero's opinion, was not of ſo deep a complexion as Denticula's.

NOTE LX. p. 259. [BM].

WHEN Ceſar left Rome to proceed to Spain, he aſſigned the care of the city to Lepidus, then Pretor. To watch over Italy, was Antony's commiſſion. And Antony, that he might not lie indolent and inactive, while Ceſar was toiling and fighting, made the tour of the provinces aſſigned to his care. Thoſe who are acquainted with Antony's character, will not be ſurprized at Cicero's deſcription of the tour, nor diſcredit the facts. Moſt probably ſome *little friend* accompanied him; and as likely, that he kept a good table, and crowned his repaſts with a chearful bottle. What then? In this age of piety and morality, the firſt lords of the treaſury, and admiralty likewiſe, have been liable to the ſame imputations. And ſhould their adminiſtration be marked by no other crimes, the nation would eaſily take them by the hand, and ſettle the account. Cicero, does not charge Antony with one inſtance of cruelty; in ſhort, he loved pleaſure, and that is the ſum of the accuſation.

NOTE LXI. p. 259. [BN].

CESAR, ordained the laurel to thoſe Lictors, who attended his legates in Italy. Antony, though he had no right as Tribune, to be attended by laurelled Lictors; bore them with ſome feaſibility, as acting then, in a legatine capacity under Ceſar. Ceſar's right to innovate in this particular is another queſtion, and not very material to diſcuſs.

NOTE LXII. p. 260. [BO].

"PRÆFECTURÆ." Provinces. The *præfecturæ*, reſemble our counties. They had the right of adminiſtering juſtice, as to fairs, and other incidents, to a degree about equivalent to our quarter-ſeſſions; but the great manufacture of juſtice, was woven by judges ſent yearly for that purpoſe.

NOTE LXIII. p. 260. [BP].

CICERO, conſiders Antony as culpable, beyond a compariſon with the veterans. The veterans had followed Ceſar during a courſe of many campaigns, and under a commiſſion of indiſputable authority; whereas, according to Cicero, Ceſar and Antony were now both acting under illegal diſpenſations. Cicero's idea, conſidered in a general point of view, is juſt. Men of education, whoſe faculties are improved, and minds enlarged, being capable of true diſcrimination, are very ſtrictly reſponſible for their conduct. Whereas uneducated, uninformed men, from their particular ſituation, and from the defectiveneſs of mere nature, are to be regarded as a flock following the bel-weather, rather than human beings acting upon fixed, and rational principles.

NOTE LXIV. p. 260. [BQ].

"VICTOR, *è Theſſalia*." Theſſalia, is a country of Greece, in which the battle of Pharſalia was fought. Antony behaved in that battle with ſuch diſtinguiſhed bravery, to entitle him moſt juſtly, to the appellation of conqueror. He alſo ſlew Domitius, with a javelin lanched from his own hand.

NOTE LXV. p. 260. [BR].

ANTONY was ſent to Brunduſium by Ceſar, immediately after the battle of Pharſalia, that he might keep Italy in proper ſubjection, while Ceſar perſued Pompey, and his fugitive troops. Cicero's remarks, upon Antony's conduct toward him at Brunduſium, are very judiciouſly diſpoſed. But what he ſays of the boſom, and charms, of Antony's theatric queen, *ſua mimula*, and her coming from Rome, a journey of fourteen days, to meet Antony, is not ſuggeſted with the ſame ingenuity, nor liberality, as his former remarks. In reſpect to the fair *mimula*, the further ſhe came to meet Antony, the greater the compliment to him, and the more ſtrongly ſhe marked her attachment.

NOTE LXVI. p. 261. [BS].

THE battle of Pharſalia, fixed Ceſar in the Dictator's chair; and Antony in the poſt of maſter, or general of the horſe, to the Dictator. What Cicero aſſerts, about this laſt tranſaction paſſing without the privilege of Ceſar, is contradicted by Plutarch, VIT. ANT. The circumſtance is ſtrongly in favor of Plutarch. The Dictator was always attended by an officer called maſter of the horſe. And Ceſar, circumſtanced as he then was, would not be inattentive, to whom a truſt of ſuch importance was committed; nor was any perſon ſo conveniently ſituated for that ſervice as Antony.

NOTE LXVII. p. 261. [BT].

HIPPIA, is very often the burthen of Cicero's theme. Political, and all other grievances, muſt have run low, when this charge was adduced. Hippia, was a woman of rank by birth, and married to a man of ſenatorial dignity. But, being prone to indulge

the luxuriance of her paſſions; ſhe quitted the ſenator, and eſpouſed Sergius, a player. Antony, becoming enamoured of her, with the conſent of the player, took her home. At that time, he had no honorable engagements with the female world; and we ſhould ſuppoſe, the crime committed in this inſtance by Antony, taking in all the circumſtances, is at leaſt a venial ſin. However, Antony ſeems to have been very happy in his connexion with Hippia.

NOTE LXVIII. p. 263. [BU].

THE farce of ſelling Pompey's eſtate, furniture, and other effects; had all the appearance of a regular procedure. Public notice was given, numbers attended the ſale, and Antony was the higheſt, or rather the only bidder. What could be more fair, open, and candid? There is no occaſion to obſerve, that in bidding againſt the maſter of the horſe, a man riſked the reſentment of a very formidable opponent. Not that the price of the purchaſe ſignified to Antony. He never paid, nor ever intended to pay the money. Therefore, whether the price was a million of pounds, or a ſingle pound ſterling, the difference was immaterial to Antony.

NOTE LXIX. p. 265. [BW].

"SANCTISSIMUM LIMEN." The houſhold Gods of the Roman citizens were ſuppoſed to ſtand centinels, at the entrance of the gate of every houſe in the Roman empire. The porch, or veſtibule, is ſometimes uſed in the ſame ſenſe.

NOTE LXX. p. 265. [BX].

"ROSTRA VESTIBULO." Alluding to the naval trophies, depoſited in the porch of Pompey's houſe. Antony, having never triumphed at ſea, could not in moſt ſituations, forget to whom they

they belonged; at leaſt that they were not his trophies. What a bottle of the true *falernum*, might produce, is not eaſy to determine. The whole of this paragraph, in the text of Cicero, is elegantly ſevere.

NOTE LXXI. p. 266. [BY].

CICERO, is not eaſily pleaſed. Entertaining Hippia, is an enormous crime; parting with her, a conſiderable fault. There ſeems to have been a formal contract of marriage between Antony and Hippia, as their parting was the copy of a real divorce. The keys of the houſe, which, at a Roman marriage were always delivered to the lady, and upon a divorce re-demanded, were upon this occaſion, reſtored to Antony. "*Res tuas tibi habeto*;" ſays the man; "*Res tuas tibi agito*;" replies the lady. Mr Sullen's divorce, ſeems to have been copied by Farquhar, from this very ceremony.

NOTE LXXII. p. 267. [BZ].

"ET CONSUL, ET ANTONIUS," was the form Antony uſed, in ſigning the public draughts. Cicero, is highly offended at this pompous diſplay, of the word ANTONIUS. He ſuppoſes by this form, that more dignity is conveyed to the Conſul's name, than to his office. The enemies of Wolſey, thought "*Ego, et Rex meus*," aſcribed more honor to the miniſter, than to the ſovereign. Cicero obſerves, that if there was intrinſic merit or dignity, in "*verbum* "*ipſum*," that merit belonged to Mark Antony, our hero's grandfather. Except, by Antony was meant, I MYSELF; as being the Antony, in whom the merit of all the Antonies in the univerſe, is reſolved.

NOTE LXXIII. p. 267. [CA].

AFTER the Alexandrian war was concluded by the battle of Pharſalia, a new war commenced in Africa, where Cato and Scipio

Scipio commanded. Ceſar, ſoon ended that war alſo, but Antony was not preſent. Cicero means to reproach Antony with cowardice, or a ſuppoſed inſufficiency, which occaſioned Ceſar's neglect of him. You were ſays Cicero, his general, his maſter of the horſe, his conſtant abettor, and, pretended to be adopted for his heir. Why then, did he not take you with him, to Africa? The anſwer is obvious; he wanted Antony's preſence in Italy, to keep all quiet there. But, when he returned, ſays Cicero, ſo far from ſhewing you any marks of his favor, he caſt you into a horrid dilemma; by demanding the purchaſe-money, for Pompey's eſtate, houſes, and effects. Ceſar, certainly did make this demand; and embaraſſed Antony, exceſſively. But, Ceſar's liberal turn of mind is, too well known, to enforce an opinion that this coolneſs toward Antony, ſhould be attributed, to any little errors, in his private conduct. Many political reaſons, might be alledged. Antony, in Ceſar's abſence, was neceſſarily inveſted with great power, and become very popular. The demand made by Ceſar, being for the public benefit, threw great popularity into Ceſar's ſcale; and, abridged Antony's influence. Antony's poverty was more conſpicuouſly marked, and himſelf rendered more dependent on Ceſar. Upon the whole, Ceſar's conduct was judicious, in a political ſenſe, and not urged in ſuch a manner greatly to diſtreſs Antony. The burleſque anſwer Cicero frames for Antony, in reply to Ceſar's demand, is well conceived; but probably, neither Cicero nor Antony, would have ventured to pronounce ſuch an anſwer, "*Cæſare vivente.*"

NOTE LXXIV. p. 268. [CB.]

"CONTRA *aras et focos.*" The word focus, was uſed with four diſtinct ideas, by the Romans. In the common culinary ſenſe; as the animating principle of nature; as annexed to a ſacred rite; and in a figurative ſenſe, for the uncontrouled government of their houſes, and the conſequent comforts ariſing to every family,

family, which may indeed be called, the true enjoyment of civil liberty.

NOTE LXXV. p. 269. [CC].

THE ſchedule here mentioned, ſeems to be denominated *curious*, from the decayed and miſerable ſtate of the articles; owing no doubt, to the free uſe made of them by Antony. His actors, had ſo *thumbed*, and ſullied the cloaths; and, his boon companions in their drunken fits, ſo battered the tankards and other ſilver utenſils; that, moſt likely, they were all in a very ineligible condition.

NOTE LXXVI. p. 269. [CD].

ANTONY, ſeems to have been concerned with other friends, in the purchaſe of a villa, on the banks of the bay of Miſenum, in the neighborhood of Cumæ, Baiæ, and Puteoli. Cicero ſays, this was the only property Antony poſſeſſed; and purchaſed expreſsly, to form a retreat for debauchery. The bay of Miſenum is very finely ſituated, for the enjoyment of every kind of luxury. The ſurrounding ſhore, at that time, was the ſummer retreat of the moſt eminent men of Rome, and afterward, of the emperors. The numberleſs ruins of fine edifices now exiſting there, prove inconteſtibly, the ſplendor of living upon the coaſt of that deſervedly-famous bay. No ſmall ſhare of renown, is derived to Miſenum from the meeting of the Triumvirate, with Sextus Pompey, on board Pompey's galley.

NOTE LXXVII. p. 269. [CE].

"VILLAIN." In the latin, *Nebulo*, which word Pompeius Feſtus ſays, is derived from *Nebula*, a miſt, or thin cloud. Cicero therefore, applies the term with peculiar judgment to Antony; who ſeemed to be a conſiderable body, till Ceſar's breath blew away the ſlight deception, and then the man of ſubſtance vaniſhed.

NOTE

NOTE LXXVIII. p. 269. [CF].

NO paſſage of hiſtory, juſtifies this charge of aſſaſſination; and the whole life of Antony, even from his enemies' repreſentation, refutes the charge.

NOTE LXXIX. p. 270. [CG].

THE imputation in this paſſage, like many other of Cicero's charges, amounts to no more, than that Antony lived luxuriantly. In regard to Dolabella's fighting Antony's battles, there can be no doubt, but, that Antony, and Dolabella likewiſe, were always at the poſts reſpectively aſſigned them by Ceſar.

NOTE LXXX. p. 271. [CH].

THOUGH Antony was, perhaps, guilty of a ſlight indecorum in appearing at Rome, or in the municipal towns, in an undreſs; yet, when the particulars are conſidered, the circumſtance of appearing ſo, ſeems highly excuſable. Antony's tour was rapid, when dreſs is incommodious, and diſagreeable. His return to Rome, Cicero himſelf ſays, was in the night; which would certainly conceal and excuſe, any error in his dreſs. This incident therefore, can convey no juſt reflection to Antony, notwithſtanding Cicero is pleaſed to ſay; "*Ex omnibus omnium flagitiis, nullum turpius vidi, "nullum audivi.*"

NOTE LXXXI. p. 272. [CI].

CICERO, ſeems to have been always ſo exaſperated againſt Fulvia, that he is determined to abuſe Antony, upon every occaſion wherein that lady was concerned. When Antony ſent Hippia away, previous to his marriage with Fulvia, Cicero vilifies the incident; which was certainly laudable, on every account. Firſt, as terminating

terminating a criminal intercourſe; but particularly, as it ſhewed Antony's deſign, of adhering ſtrictly in future to nuptial fealty.

In the preſent inſtance, who can juſtly cenſure, or even arraign, this little device of Antony. On the contrary, a device ſo innocent in itſelf, dictated by ſuch extreme affection and tenderneſs toward his wife, merits commendation. His unexpected appearance muſt, no doubt, greatly ſurprize and increaſe, the pleaſure of Fulvia. The circumſtance alſo, of her not knowing him when he preſented the letter, muſt contribute as a pleaſant incident to heighten their mutual ſatisfaction, when explained.

NOTE LXXXII. p. 273. [CK].

CICERO, has been pleaſed, to make uſe of the term JUSSURUM, as the mode of Ceſars' declaration, in reſpect to Dolabella's election to the Conſulate. And thence, infers Ceſar's deſign of ruling with imperial power. "*Quem negant regem*," ſays Cicero, upon this occaſion. Every reader of the Roman hiſtory, knows the falſehood of this relation. Ceſar never *commanded* any election to be made, contrary to the form and tenor of the Roman conſtitution. During the Conſulate, or rather Dictatorſhip of Ceſar, no one real principle of the conſtitution was violated. The elections proceeded as uſual; and if there was any artifice, or trick practiſed, the returning officers, or the candidates themſelves, were the offending parties. Ceſar, never interfered. Therefore, Cicero's ſaying, that Ceſar aimed at royalty, and *commanded* an election, is an obvious miſtake. He never *commanded* any ſuch procedure, nor is there an inſtance of his interfering in elections, contrary to the Roman conſtitution.

NOTE LXXXIII. p. 274. [CL].

ANTONY certainly, was ſo indiſcreet to ſay, that if Dolabella's election came before the Comitia, he would not fail to vitiate, and make the election void, by his augurial dexterity. There is not a doubt that Antony maintained his promiſe, and that he proſtituted the privileges of the Augurate, a moſt holy office among the Romans, to electional purpoſes, and in the following manner:

UPON the day of election, when the firſt and ſecond claſſes had voted, and the ſuffrages were ſeen to terminate in Dolabella's favor, Antony, in his Augurial capacity exclaimed, "*ALIO DIE*, "*ALIO DIE*;" ADJOURN, ADJOURN; without aſſigning a reaſon that could be valid, or allowed in the report of an Augur. If any inauſpicious circumſtance previous to the aſſembling of the Comitia, had come to Antony's knowledge, he ought to have delivered in a deſcription of that circumſtance to the Comitia, when they aſſembled. For, the Augur could not propoſe an objection while the Comitia was ſitting and the election open, being prohibited by the Elian and Fuſian law, from making any obſervations during that time. Antony therefore, clearly committed a *pious fraud*, upon this occaſion, and not as we commonly underſtand the phraſe, an artifice to procure good; but as a fraud to injure, under the cloke of piety.

NOTE LXXXIV. p. 274. [CM].

THE ſtory of the litter, looks like one of Cicero's dreſſing. Antony, who ſpent ſo many convivial hours with Ceſar, had numberleſs and more convenient opportunities, of mentioning his private requeſts and wiſhes to Ceſar. Therefore, his forcing himſelf upon Ceſar in public, to aſk favors, and thruſting his head into Ceſar's litter, while in a proceſſion through the ſtreets of Rome, ſeems very

very improbable. Antony, might poſſibly tender his reſpects to Ceſar in ſuch a manner as Cicero deſcribes, as a circumſtance of civility, but not of rudeneſs. At this day, viſits are made upon the *Corſi* in Italy, from carriage to carriage, juſt upon the ſame principle. What Cicero adds about raiſing money upon grants, is no great reflexion upon Antony. That is generally, the very purpoſe for which men ſolicit them.

NOTE LXXXV. p. 275. [CN].

LELIUS, was renowned for his ſkill and integrity in adminiſtring the auſpices; and his memory on that account, held in the greateſt veneration. " This, " quite a Lelius!" is a fair ſtroke; for Antony is indefenſible throughout the whole of the Augurial buſineſs.

NOTE LXXXVI. p. 276. [CO].

THE " LUPERCALIA," were feſtivals inſtituted in honor of the God Pan, and celebrated with ſacrifices, by the prieſts of Pan, and alſo by ſports allowed to the people. The inſtitution, is ſaid to have originated in the following manner. Marauders, having ſeized a large flock of ſheep, belonging to the royal ſhepherd and founder of Rome, they were perſued by Romulus naked, and the ſheep recovered. This event, was therefore ordered, to be celebrated by naked perſons. The term " Lupercalia," was a compliment to the great founder of Rome.

NOTE LXXXVII. p. 276. [CP].

THE offer of monarchy to Ceſar, is an incident famous in the Roman hiſtory, and not the leſs ſo in this country, from the ſimilarity of Oliver Cromwell's ſituation. Not, that theſe ſituations agree, in all reſpects; they differ in the principal incident. Oliver Cromwell certainly planned the whole tranſaction regarding

himſelf, and ſought the crown with great avidity; but, no ſuch circumſtance appears with any good authority, in regard to Ceſar. Antony's offer, was moſt likely, another effort to ingratiate himſelf, ſtill further if poſſible, in Ceſar's favor; but in all probability, rejected by Ceſar with real diſdain. Not, but Ceſar might have been induced to accept the offer, if we may judge from his character, upon the ſame terms which he enjoyed the Conſulate and the Dictatorſhip: " By the genuine and true favor, by the ſin-" cere, and nearly-unanimous wiſhes, of the Roman people."

NOTE LXXXVIII. p. 277. [CQ].

" NUDUS CONCIONATUS." When Cicero complained of a Conſul haranguing the people " in a ſtate of nature," he inveighed againſt the conſtitution itſelf. For, while an official or rather, a holy act, directed the Conſul to appear undreſſed at the *Lupercalia*, as an eſſential part of the ſacrifices, no reflexion could juſtly lay againſt him, for appearing in that manner. He was bound in duty, like the *Pontifex Maximus*, to celebrate the holy rites unmixed, and in their greateſt *purity*.

NOTE LXXXIX. p. 278. [CR].

ANTONY's order, to have the circumſtance of his preſenting the crown to Ceſar, minuted in the regiſters of the *Lupercalia*, was, if poſſible, a higher infringement of the conſtitution than the offer itſelf. Poſterity, was thereby informed, that an incident, ſo contrary to the ſpirit of the Roman government and the oath of the Roman people was ſuffered, without puniſhing the Conſul who preſumed to violate ſuch eſtabliſhed principles. Ceſar however, could have no objection to the regiſtry. It conveyed a good account of his own conduct, and blaſted the political character of Antony. Both circumſtances then, operated in favor of Ceſar; and the regiſtry itſelf, was both officially and perſonally, the act of Antony.

NOTE

NOTE XC. p. 279. [CS].

IF any evidence was wanting to prove the unpopularity of Ceſar's aſſaſſination, the condition of the aſſaſſinators, would amply ſupply the teſtimony. Without a legion, without a ſenate, without even a mob to ſupport them, they flew immediately after the aſſaſſination, from the ſenate-houſe to the capitol. There, being afraid of a ſiege, they withdrew to the forum; receiving every where, the moſt mortifying marks of indignation againſt their proceedings. The capacity of Brutus, and his influence with the people in every reaſonable propoſition, had no efficacy in the preſent caſe. The people were, no doubt, previouſly tried by inſinuations, and found inflexible in their love to Ceſar: Otherwiſe, ſomething like a mob, would have favored the aſſaſſinators.

THE military, Antony directed. And on the third day, he was ready to meet the conſpirators, in the Temple of Tellus. He had examined the diſpoſition of the troops, and found that congenial with his own, to revenge. Of the ſenate, Antony was not quite ſo well aſſured. The buſineſs bore then, very much the appearance of a powerful combination of ſenators, having in view an ariſtocratic government, which threw out Antony every way; his dependence being on the Conſular power, which in exigent caſes might be called regal, and on the people literally, the multitude. However, he was willing to ſee the complexion of the ſenate; and in the mean time, to tamper with the conſpirators. The event, proved this policy to be ſound. The ſenate, juſt at that time, were diſpoſed to favor the conſpirators. Antony therefore, cloſed with them upon that principle; and reſerved the day of vengeance, for a more eligible ſeaſon.

THE celebration of Ceſar's funeral rites, was an event Antony diſpoſed in ſuch a manner, to inflame the people to an extraordinary degree. Brutus had conſented, though Caſſius would not conſent,

conſent, to a public funeral and an oration. Brutus, ſeems to have relied on his own integrity, throughout the whole proceeding. He appears to have taken no ſtep for his ſafety, neither before, nor immediately after the blow given to Ceſar; depending entirely upon a conſciouſneſs of the rectitude and juſtice of the act. But the juſtice and rectitude of the Roman people, exceeded his own. Brutus indeed, ſeems afterward to have diſcovered the folly, of a man depending entirely upon his own notions of juſtice. For, when the public opinion was ſo clearly expreſſed in the murder of Cinna the poet, by miſtaking him for Cinna a conſpirator, and Brutus and Caſſius had thought proper to retire for ſafety; Brutus began to adopt a politic conduct, but very unſuitable to the dignity of his former proceedings.

Brutus, though Pretor, did not think proper to appear at the Apollonian games; but endeavored to deprecate that wrath, he was afraid to encounter. He courted, and ſoothed the people at a diſtance, in their loweſt amuſements. He went himſelf to Naples, to purchaſe a cargo of bears, tygers, and rhinoceros'; and ordered, that they ſhould be delivered at Rome, with permiſſion to the people to kill them all, without reſerve. A company of comedians was likewiſe hired, through his authorization; and ſome of the firſt Grecian actors engaged, to lead them. He requeſted Cicero to attend at the ſame time, and exhibit the plays, and wild beaſts, to the beſt advantage; which commiſſion, Cicero faithfully performed.

But, theſe inſtances of policy, came too late. The people killed his tygers and bears, laughed at his comedies, and applauded the general magnificence, which Brutus had diſplayed at ſuch immenſe expence, to celebrate the Apollonian games, with popularity. But neither the comedies, nor the wild beaſts, altered their diſpoſition, in regard to Ceſar's memory. They ſtill revered his idea, ſupported the Conſul, and engaged with every party, by whomſoever

whomſoever commanded, where the perſuit of Ceſar's aſſaſſinators was held out as the leading cauſe.

NOTE XCI. p. 280. [CT].

IN the midſt of the moſt flattering encomiums beſtowed on Antony, Cicero could not avoid a reflexion upon Antony's wife. Peace had been obtained through the means of a noble youth, the grandſon of Marcus Bambalio. As the grandſon of Bambalio, this youth had very little to boaſt in reſpect of nobility; on the contrary, Bambalio had been a ſlave. The blood therefore, derived to this youth, through the channel of his mother, Bambalio's daughter, was not of the pureſt, nor moſt noble nature. The youth however, was noble in reſpect of his father, as high indeed in paternal deſcent, as any man in Rome.

NOTE XCII. p. 280. [CU].

"TUA *illa pulchra laudatio, tua miſeratio, tua cohortatio :*" Which Shakeſpeare has re-worked, and moſt ingeniouſly wrought into his play of Julius Ceſar.

NOTE XCIII. p. 282. [CW].

DEJOTARUS, king of Gallogræcia or Galatia, was ſo firm an ally of the Romans, to bear the title of "The friend of "Rome." When the Ceſarian and Pompeian factions divided, he embraced the latter party, and was preſent at the battle of Pharſalia. Ceſar prevailing, Dejotarus then ſought his protection; and Ceſar, upon very liberal terms, granted him an ample ſecurity. He even placed ſo much confidence in Dejotarus, to paſs a night in one of his fortreſſes, when marching againſt Pharnaces. This confidence, Dejotarus is ſaid to have abuſed, by a deſign of killing Ceſar in his ſleep; ſuch a report, at leaſt, was propagated by his

his own ſubjects. But Cicero, defends Dejotarus againſt that imputation. However, he was mulcted a part of Gallogræcia; and Armenia was conferred upon him, by the ſenate.

CESAR dead, Dejotarus immediately re-entered, and poſſeſſed the territory, which had been taken from him during the dictatorſhip. While this was doing, Antony was making terms with Dejotarus' ambaſſadors, then at Rome, for reſtoring their maſter to his original poſſeſſions. The ambaſſadors, either through bribery, or ignorance of their maſter's deſigns, were prevailed upon to give a note with his ſignet, for ten millions of ſeſterces; which, by means of Dejotarus' wives was procured, as Cicero ſays, without Dejotarus' knowledge. Antony, to color this proceeding, alledged, that Ceſar had noted in his journals, Gallogræcia ſhould be reſtored for the above ſum. But Cicero, endeavors to ſhew the abſurdity of ſuppoſing, that Ceſar would favor a man who had once offended him. Ceſar, was a maſs of benevolence. To forgive, was his common principle. And he had not only forgiven Dejotarus for appearing in arms againſt him at Pharſalia; but, had placed a confidence in him, upon a ſubſequent occaſion. There can be no doubt, that Antony contrived the note.

CICERO's law reaſoning, however, ſeems to have an appearance of equity, and propriety. He takes for certain, that the note was not actually framed, "*pendente vitâ Cæſaris*," nor fairly granted to Antony; being iſſued merely by the intrigues of the ſeraglio. But, ſays Cicero, ſuppoſe the mere conſtruction of the note to be good: yet, not being granted, till after Dejotarus had poſſeſſed himſelf of the territory, for which the amount of this note was to be the purchaſe; the iſſue in that caſe, was abſurd. No man can legally grant an obligation, for the purchaſe of that, which was always juſtly his, and actually in his poſſeſſion when the obligation iſſued.

CICERO

CICERO, however, might have ſpared his reaſoning upon this occaſion. The claims of ſtates, are very ſeldom adjuſted by lawyers.

NOTE XCIV. p. 282. [CX].

THE Marſeillians, were the firm ally of Rome; and had always ſhewn a partiality toward Pompey. Ceſar, could not, we may preſume, be very cordially affected toward thoſe, who ſuccored his enemies.

NOTE XCV. p. 284. [CY].

GLADIATORIAL BILLS, like play-bills, were affixed to the poſts, and walls of Rome. They deſcribed the names and countries of the reſpective gladiators who were to engage, and the days propoſed for the engagements.

NOTE XCVI. p. 284. [CZ].

ANTONY, carried Ceſar's poſthumous authority to a ridiculous extent. His declaring Crete to be, by Ceſar's authority, a free town at the expiration of Brutus' Proconſulate, was certainly very abſurd. Brutus' appointment to the Proconſulate of Crete, was a meaſure ariſing merely from the circumſtance of Ceſar's death; and, could not therefore, in any ſenſe, be conſtrued an act of Ceſar.

NOTE XCVII. p. 286. [DA].

CICERO charges Antony, with repudiating the lady here mentioned, after being ſolemnly contracted to her. Antony declared, he had good cauſe to ſuſpect, if not convict her, of a criminal correſpondence with Dolabella. Suſpicions, if rooted ſtrongly in Antony's mind, were perhaps, in his caſe, a ſufficient rea-

ſon for the repudiation. Had the marriage been effected, the ſame reaſons would have juſtified a ſeparation, if not a divorce. Lewis XV. in the preſent century, repudiated a Princeſs of Spain, from mere motives of perſonal averſion; as did Henry VIII. of England, a century and an half before. Women of judgment and reflexion, will ever prefer a ſeparation, to a diſguſtful cohabitation.

NOTE XCVIII. p. 287. [DB].

"CAMPANA *et Leontina in populi Romani patrimonio grandi* "*fœnore et fructuoſæ ferebantur.*" The Campanian and Leontinian lands are called the patrimony of the Roman people, as being derived from various grants and legacies, expreſsly to the people. In ſome deeds, thoſe lands are called *glandiferæ*, alluding to the quantity of acorns produced upon them. Cicero, has been ſuppoſed to pun upon the word *glandiferæ*, in regard to theſe lands being of great value in fattening pigs; and therefore appoſitely applied, in the preſent grant.

NOTE XCIX. p. 289. [DC].

"AB *hora tertia bibebatur, ludebatur, vomebatur.*" Noon, being the ſixth hour with the Romans, Cicero means that Antony began early in the morning, and drank through the day.

NOTE C. p. 290. [DD].

CICERO, ſeems to ſpeak with envy, of Antony's carouſals. He was indeed, as Shakeſpear ſays, "moſt potent in his drinking." In regard to the circumſtance of matrons mingling with proſtitutes, this was a cuſtom of the Romans at that time; and exiſted for ſeveral ages afterward, as Juvenal, Petronius, and other authors, have well aſſured us. Inſtead of ſending for ladies to a private

private retreat, the Roman gentlemen ſent for them to their houſes. The matrons, even women of the beſt faſhion, made no more ſcruple of mixing in the entertainment that enſued, than if the proſtitutes had been dancers, or ſingers, brought for the general amuſement of the family. This, we are told, anſwered two *very laudable* purpoſes. The expence was leſſened to the huſband, and the wife, inſtead of pining by herſelf, partook of the mirth of the party. What an abominable ſyſtem! See Milo, Note XXXI. p. 395.

NOTE CI. p. 290. [DE].

CICERO, certainly had no reaſon to reproach Antony, with refuſing to ſee ſober ſtrangers at Varro's villa. If he was immerſed, in ſuch a complicated ſcene of debaucheries, and his houſe full of bad women and miſcreants, he ſurely did better in throwing a veil over the ſcene, than in drawing up the curtain. At any rate, his ſtay there being for the purpoſe of retirement, he might excuſe himſelf, and with great propriety, from receiving viſits, either of buſineſs, or ceremony.

NOTE CII. p. 290. [DF].

PUTEOLI, is a town of Campania, on the coaſt of Miſenum, about ſix miles from Naples, and called by the Italians, *Puzzolo*. Part of a villa, and a conſiderable part of the walls of a houſe at an extremity of the town, are now ſhewn as the remains of Cicero's buildings. We know that Cicero had a houſe on, or near that ſpot; and that he was always a firm friend to the Puteolians. The adoption of Brutus and Caſſius, for patrons of that town, was a circumſtance probably, of Cicero's procuration.

NOTE CIII. p. 291. [DG].

HOW does Antony's ſwooning agree, with Cicero's opinion in his firſt Philippic, upon the circumſtance of razing the tomb

of Ceſar? Cicero, there compliments Dolabella, upon his ſpirit and patriotiſm, in demoliſhing Ceſar's monument; and mentions it as an incident, which, though happening in Antony's abſence and devolving executively upon Dolabella, yet as one, among many others, that Antony would have conducted in the ſame manner, had he been preſent. "*Alia, porro propria Dolabellæ: quæ "niſi collega abfuiſſet, credo eis fuiſſe futura communia*;" are his words. But here Cicero makes Antony ſwoon, at the intelligence of his adored monument being demoliſhed by Dolabella.

NOTE CIV. p. 291. [DH].

ANTONY, ſeems to have unmaſked his deſigns, at his return to Rome, in June. His diſplay of arms, was perhaps, no impolitic ſtep; but Cicero mentions the circumſtance with horror. Former uſurpers, ſays he, had the modeſty to ſheath their ſwords in the city; and produces for examples, Cinna, Sylla, and Ceſar: "*Erant fortaſſe gladii, ſed ii abſconditi, nec ita multi.*" If hiſtories univerſally agreeing, demonſtrate the truth, Cicero is miſtaken, in one of his examples at leaſt. The blood, ſhed by Cinna at Rome, deluged the whole city. Fifteen Conſulars, ninety ſenators, two thouſand men of rank, and one hundred thouſand commoners fell, at different times in his uſurpations. By Cicero's account, the city of Rome ſeems to have had the ſame privilege now enjoyed by the citizens of London; that no armed force ſhould enter, without the previous conſent of the corporation. But, that is a point, upon which no well-governed corporation will ever contend with the ſtate, in a caſe of exigency. Wiſe governments, even in ſuch caſes, will, no doubt, prefer a conſtitutional, to a forced obedience. But when the object is important and immediate, there is ſomething monſtrous, in a creature contending with its creator.

NOTE CV. p. 292. [DI].

IN Ceſar's Dictatorſhip, a decree iſſued, that the Pretorſhip of a province ſhould exiſt no longer than one year, nor the Conſulſhip longer than five years. But Antony, though he ſtrictly adhered to ſubſtantiating the notes and bills in favor of Ceſar, which brought money into his coffers; was alſo, as ready to annul the acts of Ceſar, when they obſtructed his deſigns. Cicero, mentions the infraction of the act regarding the duration of offices, as a juſt inſtance of the latter.

NOTE CVI. p. 292. [DK].

IN almoſt all civilized nations, the proven will of an individual, has been deemed an act as firm and binding, as any deed operating in the life of a grantor. Ulpian, calls a teſtament, "*con-*
"*teſtatio mentis*;" not the mere ſimple reſult of the will, but the reſult of a conteſt, or diſcuſſion of a propoſition in the mind; and therefore, more truly the offspring of the judgment, than any other act of life. Cicero, charges Antony, with violating the will of Ceſar. Ceſar, bequeathed his gardens, ſtatues, and pictures, to the Roman people; but thoſe ſtatues and pictures, Antony ſent to his different villas.

IF this particular is conſidered, with all its circumſtances, Antony may not appear ſo culpable, as Cicero wiſhes to repreſent him. Ceſar's death, was followed by great tumults in the city; and Antony, as Conſul, was the proper guardian of the people's property. He diſtributed the ſtatues, and pictures, at his country ſeats, moſt probably for their greater ſecurity: Or, perhaps to have the pleaſure of contemplating them, but, moſt likely, without any intention of uſurping a property in them. Cicero, indeed, does not poſitively ſay, he had ſuch an intention. "*Partim in hortos Pompeii deporta-*
"*vit, partim in villam Scipionis.*" The *deportavit*, therefore, may intend

tend merely, that he changed their ſite, and deprived the people of an opportunity juſt then, to inſpect them. Yet, Cicero ſays, in the context, "*Teſtamentum irritum fecit.*" This may, nevertheleſs, allude to the diſpoſition only, and not to the alienation of the property.

NOTE CVII. p. 293. [DL].

ANTONY, had procured an order of the ſenate, to name a day for honoring the manes of Ceſar, at the next return of the Circenſean games. The Circenſean games, were eſtabliſhed by Tarquinius Priſcus, and called *Ludi Circenſes*; from the place where the celebration of them was fixed. *Divus*, i. e. holy, or ſacred, was an epithet applied to perſons honored on thoſe occaſions; and, an inferior ſpecies of deification, was thereby decreed to them. But, theſe were not to be ranked with the *Dii magni*, Jupiter, Juno, and Minerva; nor, with the *Dii majorum gentium*, which were compoſed of the foregoing three, together with Apollo, Mars, Mercury, Vulcan, Neptune, Venus, Veſta, Ceres, and Diana. Romulus, the founder of Rome, though not claſſed with the former, was however, a deity of great conſideration. He had the ſame honor decreed to him by Numa Pompilius, in the appointment of a prieſt, as was decreed to Jupiter and Mars. Thus, the three orders of prieſthood at that time, were the *Dialis*, *Martialis*, *et Quirinalis*. Cicero, therefore, aſks Antony, whether he propoſes to copy the deification of Romulus, in his honoring of Ceſar: "*Ergo eſt* "*Flamen? ut Jovi, ut Marti, ut Quirino, ſic Divo Julio, Marcus* "*Antonius? Quid, igitur ceſſas? Cur non inaugurare? Collegæ* "*ſumus, nemo negabit.*"

HAVING vented his humor, Cicero then proceeds to charge Antony, with having now neglected that ceremony, which he had before ſo labored to eſtabliſh, and ſeemed ſo intereſted in perſuing. Here, ſays Cicero, is the fifth and and laſt day, of the Circenſean games; and yet no ſenator appears in his robes, to do the honors of

of the day. " *Cur non ſumus prætextati? Cur non cures?*" Why do you not look to the buſineſs? " *Tu, qui alia acta Cæſaris de-*" *fendas?*" Cicero, urges him alſo to know, as he had contaminated one of the holy Circenſean days, to honor Ceſar, why he did not do the buſineſs effectually, and propoſe his deification in the ampleſt manner. And afterward ſays, " *Pulvinaria noluiſti?*" As to myſelf, " *Pulvinar, faſtigium, flamen, nihil iſtorum placet.*" But, let us have them all, or, deſiſt entirely. Cicero, is alſo lively in propoſing, that in caſe a new order of prieſthood ſhould be conſtituted in the Roman ſtate, Antony might be appointed Ceſar's high prieſt.

CICERO's queſtion " *Cur non ſumus prætextati?*" has given birth to many conjectures. Some conjecturers ſuppoſe, that the ſenators were never unrobed at the ſenate's meeting. Others imagine, Cicero referred to the robing of the Augurs only, who were particularly intereſted in theſe decrees. While ſome ſuppoſe, that the ſenate, in order to inhance the honor thus inſtituted to Ceſar's memory, iſſued an order for the ſenators to attend robed upon that day. May not all theſe conjectures, be ſolved by one ſimple ſuppoſition; that on certain very important occaſions, previouſly aſcertained, of which this might be one, the ſenators were obliged to attend in their robes? In England, the peers are obliged, at particular ceremonies, a coronation, and the trial of a peer, to aſſiſt robed.

NOTE CVIII. p. 294. [DM].

CICERO, ſpeaks every where, with great contempt of Antony's oratorial powers. Here, he levels a particular, as well as a general ſtroke at Antony's oratory; referring to his ſpeech at the Lupercal games, when he harangued the people, unincumbered with a ſingle article of dreſs. Your grandfather, ſays Cicero, was indeed, an eloquent man; but you, are more open in your diſ-

courſes.

courſes. " *At te etiam apertiorem, in dicendo.*" His harangues were never naked. " *Ille nunquam nudus, eſt concionatus.*" But, in you we ſee, " *hominis ſimplicis pectus,*" the breaſt of naked ſimplicity, or, a breaſt with windows; which Hudibras ſays, is not the natural mode of conſtruction.

NOTE CIX. p. 295. [DN].

" MINIME *avara conjux,*" is tranſlated " your inſatiate little wife." *Avara* in this place does not, moſt likely, ſignify luſt of money, nor have we any inſtances, that lead to impute ſuch a charge to the character of Fulvia. But Cicero furniſhes many hints of her luſt of power, and her deſire of a ſucceſſion of huſbands. The " *avara conjux,*" therefore, moſt probably ſignifies, inſatiate in her perſuit of thoſe principles.

In Note XII. of the preſent oration, the character of Fulvia has been vindicated, againſt former attacks from Cicero. Here there follows, after the illiberal term, " *minime avara conjux,*" another very ſevere remark of Cicero. " The lady has already done us two " ſignal inſtances of ſervices; but ſhe owes us a third, and we expect it at her hands." " *Nimium debet diu populo Romano tertiam* " *penſionem.*" The two inſtances of ſervice performed, were putting her two huſbands, Clodius and Curio, in the way of deſtruction, and conſequently, to death; the third, was to do the ſame favor for Antony. In Note XII. it was alſo obſerved, that the reſentment which urged Antony and Fulvia, to perſue Cicero to his ruin, though extremely vindictive, admitted of very cogent excuſes.

Attacking the reputation of a lady in a public aſſembly, and upon a queſtion, where ſhe was not, in any manner concerned; was unmanly, vulgar, and illiberal. But Cicero's orations teem with numberleſs inſtances of a moſt acrid, and malignant ſpirit; though

though his private deportment is known to have been mild, ſocial, and benevolent.

NOTE CX. p. 295. [DO].

BRUTUS, Caſſius, Melius, Marcus Manlius, and the Gracchi, are the five ſtrings, with which Cicero tunes his harp; and, ſometimes they produce tolerable harmony. But he plays ſo much upon them, and frets them ſo exceſſively in every oration, that the audiences muſt have found, even Cicero's harmony ungracious, upon an inſtrument of ſo little compaſs.

NOTE CXI. p. 297. [DP].

CICERO's panegyric upon Ceſar, is a tribute, as generous as juſt; for Cicero was moſt heartily his enemy. When we reflect on the more-than-human powers, of Ceſar's mind; when the amiableneſs, the clemency, juſtice, and ſweetneſs of his diſpoſition, is conſidered; who can avoid ſhedding a tear at the mention of his fate? Vice and infamy, worked by every engine of malice and falſhood, was incapable of being ſtimulated, to offer violence to his perſon. There was nothing ſufficiently baſe and baneful in nature, to undertake ſo horrid a deed, except virtue wrenched from its true principle of action. But, when virtue ſo circumſtanced begins to act, a fancied conſciouſneſs of rectitude, invigorates the mind; and an intemperate zeal, ſteels the nerves to a capacity of acting, whatever the mind ſuggeſts.

BRUTUS, certainly ſtruck what he thought the blow of juſtice; and acted ſolely, from the influence of virtue. In regard to the other conſpirators, vice and infamy carried them as far as thoſe principles can carry men; but if the miſguided virtue of Brutus had not joined and urged them to greater darings, the helliſh principles of the conſpirators, would moſt probably have drooped,

before they reached the ultimate point of infamy. Nor, would the conſpirators have ever formed reſolution and courage, without Brutus' aid, to break through that ray of divinity, which encompaſſed the perſon, and dignified every act of Ceſar.

NOTE CXII. p. 298. [DQ].

MANY ſentences in the peroration of this ſpeech, reflect great honor, upon the patriotiſm and elegance of Cicero's mind. Indeed, the oration itſelf, when diveſted of ſcurrility and invective, is juſtly eſteemed a fine compoſition.

But Cicero, by giving vent to the impetuoſity of his paſſions, obſcured the luſtre of this beautiful oration; and, he alſo laid the foundation of that unconquerable averſion in Antony toward him, which proved in the end, ſo fatal to the author. Nothing can be more fatal alſo, to the reputation of an orator, than ſuffering his perſonal feelings to riſe above controul, in a public ſpeech. The event, in Cicero's caſe too ſeverely proved the truth of the remark.

WHEN a coalition of intereſts took place, between Octavius, Antony, and Lepidus, a liſt of perſons, was delivered by each, as a demand of vengeance. Cicero, was at the head of the liſt preſented by Antony, and allowed, as one of his victims. Antony was not tardy, in making the ſacrifice. On the contrary, orders were inſtantly iſſued, and his emiſſaries flew to execute them. Cicero ſurvived this oration, one year only.

NOTES

OF THE

ORATION

IN FAVOR OF

MARCUS CLAUDIUS

MARCELLUS.

NOTE I. p. 303. [A].

CICERO's oration for Marcellus, or rather his panegyric upon Ceſar, was delivered before the ſenate, ſoon after the return of Ceſar from a ſucceſsful termination of the war in Africa; and about two years after the battle of Pharſalia. Four triumphs had been recently decreed to Ceſar, in honor of theſe great exploits; he had returned the people's favors by moſt magnificent entertainments; and was juſt then the idol of adoration, and the center of terreſtrial glory.

CICERO, the moſt deciſive man in words, but the moſt timid and irreſolute in action, had maintained a ſort of neutrality in the civil conteſts of the republic. He was in the camp of Pompey at Pharſalia during the battle, but excuſed himſelf from engaging in the combat, and refuſed the command of the remaining forces, after Pompey's defeat and flight. Several ſenators retired to Africa,

where they re-commenced the war; but Cicero, and others, endeavored to conciliate with Ceſar. Ceſar's clemency however, outran even their own application; for he met them beyond the mediate line that divided their intereſts.

At Brunduſium, in the courſe of Ceſar's return from Aſia, Cicero had an interview with Ceſar, and was received with the clemency and generoſity, which characterized every action of that illuſtrious conqueror. Cicero, though under no reſtraint from Ceſar, did not appear in his place as a ſenator until the ſucceeding year, when, as we have already obſerved, Ceſar returned victorious from Africa.

In that year, ſeven hundred ſeven, U.C. Cicero delivered this oration, and another in favor of Quintus Ligarius, who had been in circumſtances ſimilar to Marcellus. The magnanimity of Ceſar, had granted to Cicero the moſt extenſive pardon, an abſolute reſumption of every former right, and forgiveneſs, the moſt ample and unequivocal. But Ceſar, never could receive into the boſom of his friendſhip, a man totally deficient of thoſe qualities, without which, no other can excite the eſteem of a brave and generous nature. Ceſar admired the extraordinary talents of Cicero, he delighted in his oratory, but he deſpiſed his puſilanimity. A hero can never entertain eſteem for a puſilanimous character, however embelliſhed in other reſpects. But ſuch was Ceſar's regard to genius, that we find from ſeveral authentic accounts, he liſtened to the oratory of Cicero, when the ſubjects were diſguſtful to him. He even granted to the arguments and intreaties of the orator, what his own intereſt forbad, and common policy rejected. The anſwer given by Ceſar to the friends of Ligarius, when requeſting that Cicero might plead in his behalf, was a proof of the regard Ceſar entertained for the genius of Cicero: "Though Ligarius is unde-
"ſerving and my enemy; Cicero is eloquent, and much time has
"elapſed ſince I heard him. Let him therefore, plead for Liga-
"rius." The manner in which Ceſar was influenced to hear the

ſolicitations

ſolicitations of Marcellus' friends, was nearly the ſame; and the event in both caſes ſimilar: Ceſar's intereſt in both, ſuccombed to his clemency.

THE ſenators being diſperſed, ſome to Pompey's camp, and others to various parts of the empire, the ſenate had not been held in Rome during the continuance of the civil war. And when the ſenate was re-eſtabliſhed at Rome, Cicero did not appear there, until two years after the determination of that war. There is no oration of Cicero extant, between Milo, in the year ſeven hundred and one, U. C. and thoſe for Marcellus and Ligarius, in ſeven hundred and ſeven. By which lapſe, poſterity may be ſaid to ſhare in the misfortunes ariſing from the civil conteſts of Rome.

MARCELLUS, derived his deſcent from a family of patrician rank, and of great antiquity. He numbered among his anceſtors ſix Conſuls, one of whom had been five, and another three times elected, to the Conſular office. Plutarch, wrote the life of the firſt of thoſe, who was alſo named Marcus Claudius Marcellus. This Marcellus, triumphed over the Gauls and the Geſatæ. In a ſally againſt the troops of Hannibal, he cauſed them, for the firſt time, to fly before the Romans; and gained a ſubſequent battle, fairly ranged in the field, againſt Hannibal. He afterward took Syracuſe, after a long ſiege, and a moſt extraordinary reſiſtance from the machines of Archimedes.

THE family however, afterward, deſcended to the plebeian rank, and Marcus Claudius Marcellus, the object of Cicero's oration, was of plebeian rank only. He was however, a man of extraordinary talents, but of unbounded ambition. He contended with Cicero for the prize of oratory; who acknowledged his eloquence to be powerful. He even preſumed to oppoſe himſelf to Ceſar, in an appointment to a military command. That however, was the leaſt objection Ceſar entertained againſt his conduct. Marcellus, unmindful

mindful of the reſpect due to the great qualities of Ceſar, had ſtigmatized him with the term of robber; and uſed his utmoſt efforts to cauſe Ceſar to be decreed by the ſenate, an enemy againſt the ſtate. To manifeſt likewiſe, the ſtrongeſt contempt and indignancy toward Ceſar, he ſcourged with rods, a magiſtrate who preſided over a colony planted by Ceſar, at Novocomum in Lombardy. Marcellus afterward, ſerved under Pompey, and againſt Ceſar. The fact of his plotting, after his retirement to Mitylene, againſt the adminiſtration and the life of Ceſar, is well authenticated.

WHAT forbearance, what magnanimity, muſt have dwelt in the heart of Ceſar; who could pardon the man he deteſted, at the requeſt of the man he deſpiſed, and both his enemies!

NOTE II. p. 308. [B].

CICERO's indiſcretion, and his incapacity of retaining ſuch ſtrokes of ſatire as occurred to his imagination, have been frequently noted. Though panegyric here was his only object, he has ſcattered ſeveral inſinuations and remarks, reflecting on Ceſar's conduct. In this paſſage, Cicero plainly delivers his opinion that the dignity of the ſenate had been diminiſhed and degraded; "*quod brevi tempore ſit illa auctoritas in his majorum ſuorum, et ſuis* "*ſedibus.*"

IN other ſubſequent paſſages, referring to the juſtice of the war, in which Ceſar had been engaged, though he does not abſolutely deny the juſtice of Ceſar's proceedings, he does not confirm it, nor abſolutely impugn the conduct of his adverſaries. "*Omnes, qui* "*ad illa arma fato ſumus neſcio quo reipublicæ miſero funeſtoque com-*"*pulſi:*" whereas policy, certainly directed, either an inviolable ſilence, or a compliment to Ceſar's cauſe. In another part of this oration, Cicero ſatirizes the conquerors inordinate ambition.

tion. " *Cujus gloria, te eſſe avidiſſimum quamvis ſis ſapiens, non* " *negabis.*"

Occasions frequently occur, no doubt, where ſharp reflexions delicately couched, conduce to influence others to ſerve the purpoſe of the ſpeaker. But ſurely, raſhneſs only, could influence an orator to exerciſe the keenneſs of ſatire upon the poſſeſſor of power, and the immediate, and propoſed object of flattery. Yet Cicero has repeatedly erred, in ſuch a material point. In Phil. II. he was hurried into innumerable, groſs, and ſevere reflexions on Antony, upon whom the power and authority of Ceſar had juſt devolved. For this indiſcretion, he loſt his life; but not till he had, like the moth, often fluttered about the flame, with manifeſt danger of an earlier cataſtrophe.

NOTE III. p. 315. [C].

JULIUS CESAR was, at this period, in the fifty-fourth year of his age. The laſt fifteen years of his life had covered him with glory. His conſtitution, which by nature was defective, had to that period, been ſuſtained by exerciſe and temperance, with a tolerable fitneſs for the purpoſes of an active life; but he now felt the inevitable decadence of nature in an extraordinary degree. His great mind was, perhaps, incapable of deſiring the retention of any property, impaired of its greateſt ſtate of excellence. We know from Plutarch, and other authorities, that after his return from Spain, victorious over the Pompeys in the battle of Munda, the laſt battle fought by Ceſar, that he frequently expreſſed his ardent deſire to die.

The hero and the philoſopher exiſt upon a different ground. Health, ſtrength, and the continuance of a graceful figure, are properties eſſential, or at leaſt ardently deſirable, to the hero. When theſe fail him, his military career, muſt either draw to a period, or continue with diminiſhed vigor and effect. Health, ſtrength, and figure

figure, avail but little to the philoſopher. His ſtudies continue, and perhaps acquire additional force, as his bodily powers diminiſh. Hence, their feelings in old age will be very different. Life, may be uſeful and deſirable to the one, while it is unprofitable, and therefore ſpurned by the other. In all caſes, a brave and wiſe man will certainly wiſh for diſſolution, before the age of folly and imbecility. A period, when he muſt inevitably become an object of pity, and moſt probably of averſion.

JULIUS CESAR, entertained a conſtitutional contempt of death; excluſive of that obligatory and compulſive defiance of death, annexed as a duty to the ſoldier. When a youth, and in the hands of pirates, his deportment was not only unconcerned, but inſolent and dictatorial to his captors. The opinions delivered by Ceſar, in Catiline's caſe, at an early period of life, and prior to his acceptance of a military command, confirm what we have aſſerted. Cicero interprets them thus: " *Ceſar intelligit mortem, a diis immortalibus* " *non eſſe ſupplicii cauſâ conſtitutam, ſet aut neceſſitatem naturæ, aut* " *laborum ac miſerarium quietum eſſe. Itaque etiam ſapientes nunquam* " *inviti, fortes etiam ſæpe libenter oppetiverunt.*"

WE ſhall be the leſs ſurprized at Ceſar's abſolute contempt of death, when we find that he did not believe in a ſtate of future puniſhments, nor even in a ſtate of future exiſtence. In the oration already mentioned, Cicero ſpeaking again of Ceſar's opinion, ſays: " *Vitam ſolam relinquit nefariis hominibus; quam ſi eri-* " *puiſſet, multas uno dolore animi ac corporis, et omnes ſcelerum pœnas* " *ademiſſet.*" " Life is all he leaves unattached to thoſe unhappy " wretches. And ſhould he take that, it would be but the reſolv- " ing many pangs of the body, and much ſuffering of the mind, " into one momentary ſenſation of bitterneſs." The religious inſtitution of hell by the ancients, and the doctrine of future puniſhments, he conſiders as a contrivance to anſwer the mere purpoſes of moral government. For death itſelf without theſe, was,

in

in his opinion, no object of terror: "*His remotis, non esse mortem* "*ipsam pertimescendam.*" Sallust has also, given indubitable proofs of Cesar's total disbelief of a future existence, either to the body or spirit of man; which Cicero likewise, plainly indicates, in the present oration for Marcellus. "*Id autem etiam si tunc ad te, ut qui-* "*dam falso putant, non pertinebit nunc certe pertinet, te esse talem,* "*ut tuas laudes obscuratura nulla unquam, sit oblivio.*" Notwithstanding the qualifying expression, *falso putant*, the intention of the speaker is manifest.

NOTE IV. p. 317. [D].

CICERO, might justly say, "*Obstupescent posteri certe imperia,* "*provincias, Rhenum, Oceanum, Nilum, pugnas innumerabiles,* "*incredibiles victorias, monumenta, munera, triumphos, audientes, et* "*legentes tuos.*" His extensive commands and conquests, occasioned the subjection of Britain, Spain, and Gaul; the northern part of Africa, Greece, Egypt, and a considerable part of Asia. By the conquest of Gaul, he was master of almost the whole course of the Rhine. His expedition to Britain, gave Cicero a just pretence for mentioning the ocean particularly; as Cesar was there embarked in a sea, whose territorial boundaries he knew not. The success of his arms also, in Egypt, justly denominated him the conqueror of the Nile.

THE victories of Cesar were not many less than his general battles, which were fifty; and the events indeed, incredible. But, his engagements with the enemy were innumerable. Pliny estimates the number of those who fell in opposing him, to be one million two hundred thousand.

THE monuments of Cesar's ingenuity, were, a bridge built over the Rhine; a fleet collected in the ocean for the conquest of Britain; innumerable statues erected in his honor; the records of the senate, wherein five triumphs were decreed to him; twenty five

days congratulation for his victories in Gaul, and forty days more, upon the termination of the civil wars. We ought not here to omit, his correction of the kalendar.

His largeſſes to the people, and his entertainments, were infinite in expence, and innumerable in the repetition. The latter commenced long before Ceſar attained a military command. Upon the Appian way he expended conſiderable ſums. In his Edileſhip he entertained the people with three hundred and twenty duels of gladiators. And in all his entertainments, whether public or convivial, extraordinary magnificence and profuſion were diſplayed.

Before Ceſar was elected to any office, he had by theſe expences incurred a debt of thirteen hundred talents, near two hundred and fifty thouſand pounds. This was doubtleſs increaſed before he received the command in Spain. The enormity of his debts were then indeed, ſo great, that his creditors refuſed to allow his quitting the city, until Craſſus was ſecurity for two-thirds of the amount. When ſome ſoldiers mutinied, he diſcharged them, and gave to each, money and a portion of land. When he triumphed for Egypt, Pontus, and Africa, he alſo diſtributed largeſſes of money to every ſoldier in his army, and entertained the people of Rome at his own expence, with mock ſea-fights, with gladiatorial exhibitions, and a number of feaſts; at one of which, twenty two thouſand tables were all profuſely ſupplied.

His largeſſes and liberality, were not bounded by his life. He planned the expenditure of thoſe ſums acquired in the ſervice of his country, in a manner moſt beneficial to the Roman people after his death. A portion of money was bequeathed by him to every Roman citizen; together with the perpetual uſe of his gardens, ſtatues, and other valuable effects. Well therefore might Cicero dwell upon the virtues and ſucceſſes of Ceſar, under theſe diviſions!

NOTE

NOTE V. p. 321. [E].

THE readers of Cicero's oration for Marcellus, have hitherto, ever regretted its ſhortneſs. The ſtrain is perhaps too high, and the ſpirit too exalted, to be long ſupported by human powers. The apotheoſis of a deceaſed emperor, might be formerly as eaſily performed by the *Pontifex Maximus*, as the canonization of a defunct prieſt is at preſent, by his Holineſs at Rome. But, the apotheoſis of a living hero, requires a greater ſtrength of abilities. If the ſplendor of Ceſar's glory, as diſplayed by Cicero, ſhould cauſe us to exclaim, IN HEROISM HOW RESEMBLING A DEITY! We may well apply Shakeſpear's expreſſion, to Cicero: IN APPREHENSION HOW LIKE A GOD!

THE END.